



# FRANCE'S SHADOW WAR IN MALI

## AIRSTRIKES AT THE BOUNTI WEDDING

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I attended the wedding of [REDACTED]'s son. There were groups of people at the wedding party, spread apart a few meters. I was injured by the airstrikes and lost consciousness for a while. It was only after I was evacuated to Douentza for medical treatment by Doctors Without Borders, I learnt that there had been an attack on the wedding party. I'm injured twice, once on my body and another in my heart: my relatives were killed in the attack.

MM, SURVIVOR OF THE BOUNTI WEDDING ATTACK

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**MM, SURVIVOR OF THE BOUNTI WEDDING ATTACK<sup>1</sup>**

“

I lost my cousins in these strikes. I heard the planes and then 'Boom! Boom!' After some time, we returned to the scene and found several people were killed and others injured.

**AD, WITNESS TO THE BOUNTI WEDDING ATTACK<sup>2</sup>**

“

The French would be more vocal if they were positive in their assertions. They don't want to admit anything [civilian casualties], because it would be detrimental on many fronts to their interests. I don't think it was all conducted in Mali — they used a Reaper. There's a satellite connection to a facility in Europe and a US collaboration in the region. The analytical enterprise the US has might have been involved.

**CIAN WESTMORELAND, FORMER US DRONE TECHNICIAN, who built the infrastructure in Afghanistan used by the US drone programme to connect with operators on the ground and the Combined Air Operations Centre (CAOC)<sup>3</sup>**

“

There has been an unfortunate pattern of civilians being victimized in the name of counter-terrorism. The strike in Bounti is only the peak of the iceberg. Every other day, Malian troops and militias kill, kidnap, and torture civilians. No investigation is currently open.

**CIAN continued**

“

If France wants to help, it should start by acknowledging its mistakes and pulling its partners up to its standards. Terrorism is not limited to jihadists. The fight for civilians is not only a humanitarian issue, it's also a security issue. This is why civil society organizations and human rights activists cannot be put aside and silenced. We will continue our work of denunciation and demanding accountability.

**DOUGOUKOLO A.O. BA KONARÉ, CO-FOUNDER OF KISAL OBSERVATORY<sup>4</sup>**

## AUTHOR

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## ABOUT STOKE WHITE INVESTIGATIONS

Stoke White Investigations or SWI-unit is an independent investigative unit based within the law firm, Stoke White Ltd. In 2021, Stoke White Ltd recognised the need to form a unit dedicated to investigations covering public interest matters and support the legal team for its complex international law cases.

For more information, please visit [www.swiunit.com](http://www.swiunit.com)

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STOKE WHITE  
INVESTIGATIONS

## FRANCE'S SHADOW WAR IN MALI AIRSTRIKES AT THE BOUNTI WEDDING

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**Graphic design**  
Somerset Bean

**Cover image**  
*Anomaly Detection* (2017) by Kathryn Brimblecombe-Fox, gifted the cover image to the SWI-unit for its first publication. Brimblecombe-Fox researches contemporary militarised technology, war and the future of war, through her creative practice.



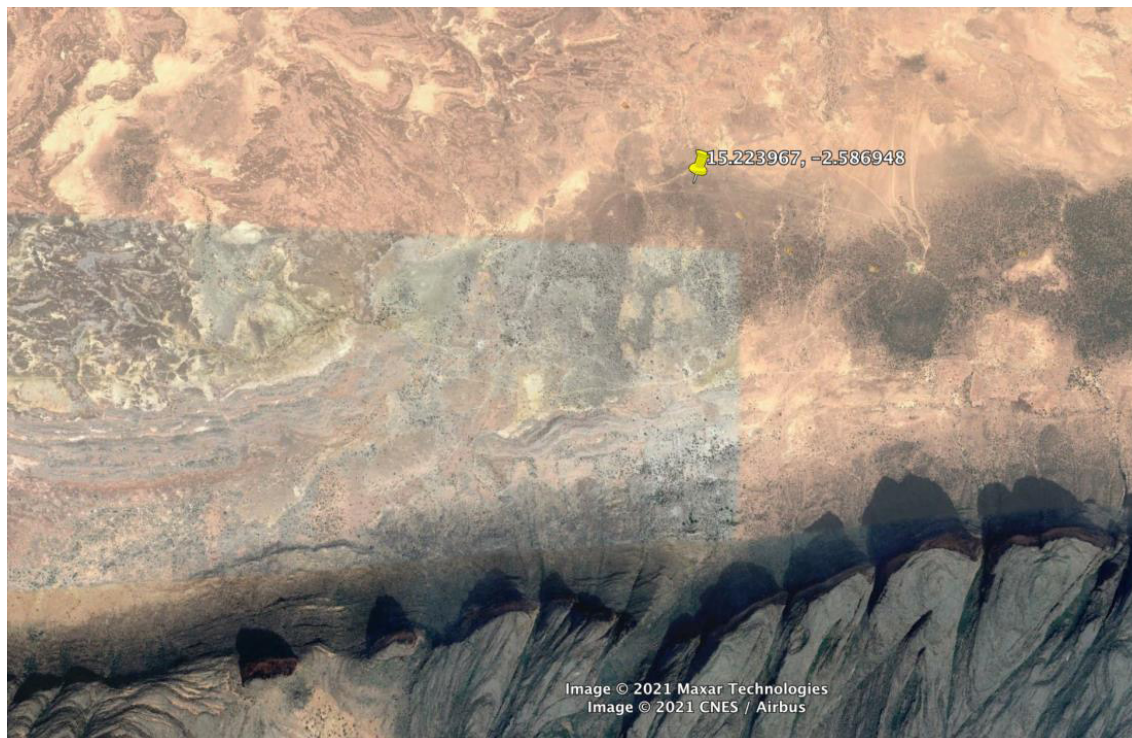
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# 1 MAPS



Mali Google Maps



The above image still illustrates the location of the attack, north of Bounti ©Mazar Technologies ©CNES / Airbus  
Coordinates 15.223967, -2.586948 — Stoke White in 18 May 2021

## 2 EXECUTIVE SUMMARY

On 3 January 2021, France executed airstrikes as part of its Operation Barkhane mission in central Mali, Bounti. France claimed it attacked an armed “terrorist group”, but locals say it was a wedding party. A UN report on the attack, a first for investigating France’s military activities in Mali, concluded that a wedding was attacked with 19 civilians killed.<sup>5</sup>

What happened on the Sunday afternoon is disputed by all parties of this civilian casualty allegation. By the evening of the attack, a local social organisation, the AES Corporation notified its members that a wedding was attacked outside Bounti, killing civilians.<sup>6</sup> Two days later, the French forces told the AFP that its military aircrafts had “neutralised” dozens of fighters in central Mali and that reports of an attack on a wedding “do not match the observations that were made”.<sup>7</sup>

On January 7, the French Armed Forces accepted responsibility for targeting members of *Katiba Serma*, an armed group which is loosely connected with Al-Qaeda. The French state that it conducted a multi-day intelligence, surveillance and reconnaissance (ISR) mission in Douentza, in central Mali’s Mopti region. France’s Reaper drone only conducted an ISR mission “for one-hour”, when it decided to follow a motorcycle carrying two individuals north of the “NR16” highway.

The motorcycle joined approximately “40 adult men in an isolated area”, one kilometre north of the village of Bounti, in the region of Douentza.<sup>8</sup> The real-time intelligence of the drone gave the French Armed Forces the confidence that it located members of the *Katiba Serma*.

### ‘ROBUSTNESS OF THE TARGETING PROCESS’, SAYS FRANCE

Following the Reaper’s ISR mission on the activities on the ground, a pair of French Mirage 2000 fighter aircrafts were called in to carry out a “targeted strike at 3:00 pm local time”.<sup>9</sup> The “behaviour of the individuals”, “materials identified” and “cross-checking” led to the launch of three airstrikes located at “30 PWB 4436 83140” [15.223967, -2.586948] in a semi-wooded area.

The airstrikes resulted in the killing of 30 individuals according to the French Armed Forces, and no women or children were killed due to the “analysis of the area before and after the strike, as well as the robustness of the targeting process”. The French added that it excluded the possibility of “collateral damage”. The Malian Ministry of Defence and Veterans Affairs (MDAC) supported France’s statement that it targeted members of *Katiba Serma*.

### A WEDDING WAS ATTACKED, AT LEAST 100 ATTENDED SAYS UN

The 15 human rights officer-led United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) investigation following the airstrikes in Bounti revealed that 22

individuals were killed at the wedding. The UN report found that five members of *Katiba Serma* were among the guests of the wedding, only one of them was visibly armed. Two of them left before the airstrikes hit the celebration, while three were killed — the rest were civilians.

It can only be presumed that they were armed, as they could have just been attending the wedding. While France claimed that it had targeted 40 adult men in an isolated area, the UN concluded that a group of at least 100 individuals were attending a wedding which correspond with SWI-unit's testimony of victims and relatives.<sup>10</sup>

The victims were all men, aged between 23 and 71, the majority of whom lived in the Bounti village. Fighters from non-state armed groups rarely gather together in Mali, due to the threat of airstrikes and drone surveillance.

The French government responded to the UN report by questioning its validity and methodology.<sup>11</sup>

The SWI-unit found that a wedding had been attacked, where members of the bride and groom's family met after weeks of planning according to testimony. While it is possible that members of an armed group were present, it is confirmed that they were not there to conduct or plan hostilities against the government of Mali, its civilian population or the forces of Operation Barkhane.

It is highly likely that the drone-led airstrikes against the wedding in Bounti have infringed the laws of war by ignoring or failing to comply with the principle of distinction between combatants and civilians, or the principle of proportionality by killing civilians to attain a military advantage.

Both the French armed forces and the Mali government are yet to come clean and provide evidence that the gathering was not a wedding, and secondly that it has "neutralised" members of a terrorist non-state armed group. The burden of proof remains with the attacking force, as the onus is on the one triggering lethal force, not the one on the receiving end, particularly when concerning civilians.

There is no denying that the laws of war and international human rights law is applicable on the 3 January, 2021 attack against the wedding in Bounti. With this in mind, it could only be lawful to target valid military objectives as per International Humanitarian Law. France urgently needs to provide evidence on how it came to the conclusion that the wedding it targeted, was in its perspective a gathering of members of a non-state armed group.

While it could be argued that members of the armed group joined the wedding and used it as a human shield — France denies that the gathering was a wedding in the first instance. Additionally, at least two of the members of the armed group left the wedding before the attack took place according to testimonies documented by MINUSMA. Thus, making it difficult to enter the realm of legal argument that it was even proportionate to engage.

The French Armed Forces need to act promptly and conduct an impartial and transparent investigation into the said attack. Ignoring and denying the MINUSMA report, as well as this investigation that it was not a wedding creates an environment of mistrust on France's military activities across the Sahel, let alone in other theatres of conflict such as Syria and Iraq.

In consultation with the Armed Conflict Location & Event Data Project, ACLED, the SWI-unit received data on 51 fatalities from civilian targeting incidents involving French forces in Mali between 2017 – 2021.<sup>12</sup>

But according to journalistic outlet Sahelien, which recently published an article with interviews claim that Operation Barkhane has killed at least 43 civilians and injured five in six separate incidents since 2018.<sup>13</sup>

This demonstrates the underreported nature of firstly the conflict across the Sahel, and lack of monitoring of civilian casualties of local and foreign forces in the same.

This is not the first instance of France ignoring civilian casualty allegations. This gap in transparency needs to be addressed. It is reasonable to say that France has a systematic problem in admitting and identifying civilian casualties and / or injuries as a result from its military actions. The denial of the killing of some civilians at a wedding in Bounti on 3 January 2021, should be viewed in this light.

France has conducted more airstrikes against ISIS in Iraq and Syria than any other military in the Coalition apart from the US, according to the civilian casualty monitoring organization Airwars.<sup>14</sup> Yet after several years, France has never publicly admitted to a single civilian casualty.

“

We want the world to know there was a huge mistake. These civilians who died while celebrating a wedding.

**HAMADOUN DICKO, HEAD OF JENUESSE TABITAL PULAAKU**

To this end, SWI-unit began digging deeper into the much contested civilian casualty allegation, in hope to provide an assessment based on open source intelligence, human intelligence gathering and satellite imagery analysis.



# 3 INTRODUCTION

This report focuses on unearthing relevant open-source intelligence and traditional human rights testimony for public interest purposes on the contested civilian casualty allegation in Bounti, Mali on 3, January 2021. The Stoke White Investigations Unit (SWI-unit), an editorially independent investigative arm of the international law firm Stoke White is concerned that France is executing “signature” strikes based on monitoring of behavioural patterns on the ground via the use of drone operators. Additionally, SWI-unit believes some European states and America may have acquiesced potential war crimes in Mali, or more broadly across the Sahel by sharing intelligence.

Under the pretext of the War on Terror, the French military have been providing the Mali government with military support alongside United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) since 2014 (Operation Barkhane). France are authorized to intervene in the support of MINUSMA when the mission is under imminent threat and upon the request of the Secretary-General. Both entities are engaged in Mali with consent of the host country, and in direct conflict with non-state armed groups. The Mali government have been in a number of overlapping non-international armed conflicts with armed groups two years prior to Operation Barkhane.

While President Macron announced a draw-down of French forces across the Sahel in June this year, it is likely that it will take place at a much slower pace. Perhaps seeing a reduction from 5,100 to 2,300 French personnel part of Operation Barkhane by the end of 2021. The spotlight, therefore, should be on the forthcoming details of this announced drawdown and whether air supremacy will be given up or bolstered by the use of drones and fighter aircrafts — a cheaper option for any military in question.

France has included armed drones within its arsenal in 2014, this gives it an advantage as part of its kill chain: find, fix, track, target, engage, assess. France’s Reapers are currently paired with the Mirage 2000s, located and launched from Niamey and N’Djamena. The inclusion of the Reaper provides forces on the ground and elsewhere 24-hour real-time intelligence via its ISR missions. In 2019, France launched its first drone attack in Mali’s region of Mopti.<sup>15</sup>

The issue of civilian casualties across the Sahel as a result of Operation Barkhane remains under-investigated through the lens of international human rights law and humanitarian law. The SWI-unit have come across several other cases of abuse related to violence, torture and sexual abuse, but the focus of this report will remain on the Bounti wedding attack.

# 4 NOTES ON METHODOLOGY

The investigative research for this report was conducted between April 2021 and June 2021 using traditional human rights interviews, working with verified sources on the ground and extensive use of open source intelligence (HUMINT, OSINT, IMINT, GEOINT) tools and techniques. The manner in which the short-time frame investigation was conducted is noted in the report, including any difficulties that were experienced or navigated in gathering human rights intelligence.

The SWI-unit investigated and documented five testimonies of the wedding attack north of the bounty villages. The SWI-unit were given permission to publish parts of the testimony in this report, and kept the three others on file for potential legal action. Victims and relatives of the incident provided SWI-unit consent to proceed with any legal avenue with Stoke White Ltd (the law firm). For investigative casework gathering, a snowball methodology was adopted to acquire subjects for interview, which permitted a triangulation and verification process. The names of the interviewees have been replaced with a pseudonym upon request by the interviewees. Due to security concerns for our interviewees, information identifying the testimonies have been limited including age, gender and current location unless publicly available. The SWI-unit retains the names on file, continues to remain in contact, and took special attention in considering trauma of victims and relatives. No remuneration was provided to the interviewees.

Any assessment of civilian casualties killed or injured documented in this report is based on testimony, triangulated with MINUSMA's official reporting and human sources on the ground in Mali. For this report, the SWI-unit reviewed material available online. This included a review process of publications by international human rights organizations, print and online media reporting platforms, including broadcast news and programmes covering the incident which enabled the SWI-unit to also analyse satellite imagery tools. The author of the report made upmost effort to contact any pre-existing research to ensure new information was incorporated in this report, and also for corroboration purposes. A total of 30 individuals were approached for corroboration and contextual analyses including MSF, Centre for Civilians in Conflict, HRW, whistle-blowers and / or former military officers and journalists.

The SWI-unit have put several questions to the French Ministry of the Armed Forces, MINUSMA, AFRICOM, US DoD, MSF and private individuals on the ground as well as witnesses to understand the attack in question.

It is not the objective of this current report to document a comprehensive record of civilian casualties by France or any other party to the conflict in Mali. ACLED and MINUSMA are meticulously recording compliance of international humanitarian law and wide-spread civilian casualties. The SWI-unit acknowledge that all sides of the conflict are responsible for human rights abuses.

# 5 SUMMARY: MA0398 — THE BOUNTI WEDDING ATTACK

**Incident Ref** MA0398

**Attack Type** Drone-led airstrikes by pair of Mirage 2000 aircrafts

**Total Killed** 22 killed at least

**Civilians Killed** 16 were killed directly by airstrikes

**Civilians Injured** 8 injured (3 civilians died of injuries during transfer to hospital)

**Suspected Combatants Killed** 3 suspected — no continuous combat function (CCF)

**Contrary Evidence** No evidence provided by France or Operation Barkhane

**Location** Bounti

**Mali Coordinates** 15.223967, -2.586948

**Date** 03/01/2021

**Time** 15:00 Local Time

**Incident Ranking** Confirmed, various sources

**Crime Status** War Crime, highly likely

## KEY FINDINGS

- Five witness testimonies were documented as part of this investigation process, all confirming that a wedding had been targeted. Two of the witnesses provided consent to publish some quotes from their testimony. Others are being held on file for future legal proceedings.
- Using satellite imagery tools, the precise location of the attack site was geolocated, including the Bounti village. Using Planet Labs and Sentinel, pre and post-airstrike images showing burn-marks on the ground dated between 1 January, 2021 and 5 January, 2021 were found, pinpointing attack location.
- Based on an open-source check of the missile remnant and NSN number 1325-01-041-5890 found at the attack site, the SWI-unit assesses that it is a model number of a Guided Bomb Wing Assembly (details in the report). France are users of this NSN, which correspond with France's position that two Mirage 2000's were used to execute the missile attack. This rules out the possibility that the Reaper drone conducted the attack itself.
- A mobile phone video was tracked down using open-source and social media intelligence techniques, showing four injured men talking about the Bounti attack. The contents of the video correspond to MINUSMA's report on victim injuries, as well as public statements by the concerned medical organisation in Douentza — where victims were transferred. This video was verified by two human sources in Mali, as well as language analytics to confirm they were victims of the Bounti wedding attack. SWI-unit hold the video on file.

- France's Ministry of Armed Forces (*Ministre des Armées*), United States Africa Command (AFRICOM) and the U.S Department of Defense (DOD) refrained from answering key questions surrounding data-sharing, meta-data and / or any other cooperation between each other — via military and non-military personnel. Specific questions were asked on the Bounti wedding attack, as well as Operation Barkhane more generally. A specific FOIA is still pending from US AFRICOM.
- France's intelligence, surveillance and reconnaissance (ISR) mission with its drone highly likely had reachback to a facility in Europe — Ramstein, Germany — according to Cian Westmoreland and Lisa Ling, former American drone technicians who built and worked on the US drone programme. This triggers a broader claim on whether there were any European involvement. While the French hold better insight on the ground compared with the US ; the pair say — American involvement is not to be underestimated as the “analytical enterprise the US has might have been involved”.
- The French Ministry of Armed Forces declined to comment on whether it holds an official or unofficial targeted killing policy for counter-terrorism purposes, and the involvement of any branch of the French intelligence services for airstrikes across the Sahel. Further questions were ignored, including on how France ensured compliance with the principle of proportionality on the Bounti attack and not exceed the military objective / advantage, whether an impartial investigation will be instructed, and finally what targeting and cross-checking procedures were used to ensure no civilians were at the location of the attack.



# 6 A LOOK AT OPEN SOURCES

## LOCATION OF THE ATTACK

The first point of action in any investigation is to geolocate the attack to ensure accuracy regardless of any admissions by parties to the conflict. With extensive media, journalism and general public conversing about the incident online, it did not take long to pinpoint the attack location. While the attack in Bounti is not denied by France, it is worthy to ensure accuracy of the location.

The United Nation's Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) published its final version of its report on March this year, including current images of the Bounti village. While the attack did not take place in the village, many media reported and claimed that it did.



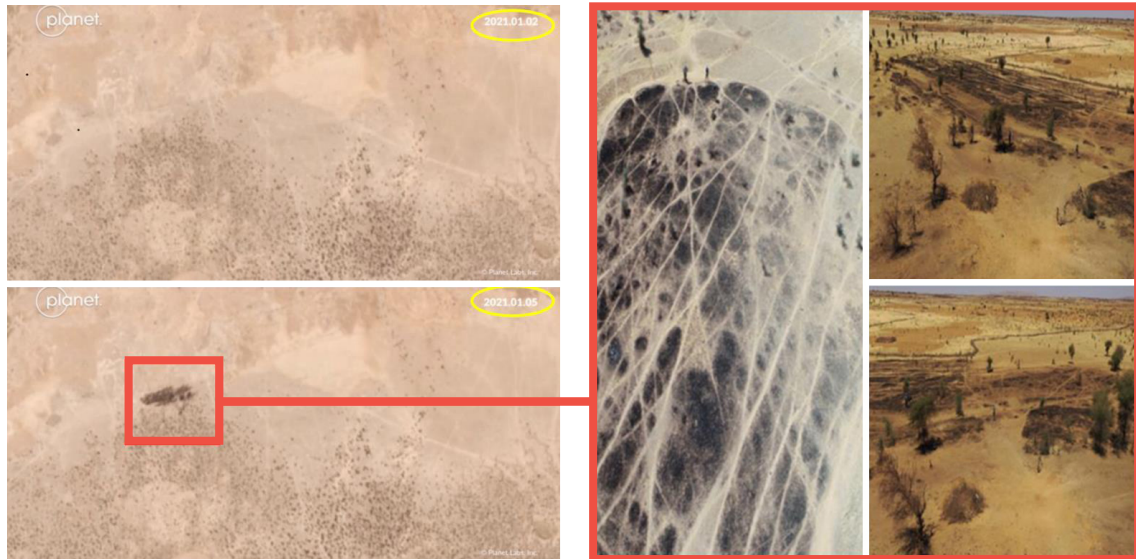
**An image of the Bounti village found in MINUSMA's official report**



**Stoke White's geolocation of the Bounti village using Google Earth Pro 15.12'32.15"N**

# SATELLITE IMAGERY ANALYSIS

Furthermore, MINUSMA's report published pictures of the attack site showing black burns on the ground. SWI-unit geolocated the attack site using Planet Labs to see the difference on the landscape *pre-strike* and *post-strike*.



**Top and bottom** Satellite imagery back-dated to assess landmark pre-airstrikes via Planet Labs, and geolocated by SWI-unit

**Three images taken from MINUSMA's report**  
**Top right** North view of attack 15°13'27.77" / O 002°35'16.39, burn stains from airstrikes  
**Bottom right** North-west view of the attack ©MINUSMA

The top left picture illustrates the location of the attack site on the 2 January 2021, one day before the airstrike took place (pre-airstrikes). On the bottom left, the Planet Labs still illustrates the burn marks left behind as a result of the airstrikes on the landscape (post-airstrikes). The open-source capture of the burns corroborates MINUSMA's pictures.

For the sake of completeness, the geolocation was conducted again using Sentinel Hub, where the same results were found. Whilst there were multiple reports that the attack took place in the villages of Bounti, our assessment is that it took place one kilometre north of the first bounty village based on the black burns.





# MISSILE REMNANT



**Missile remnant found in MINUSMA report** Edited by SWI-unit for illustrative purposes

Based on an open-source check of the missile remnant and NSN number 1325-01-041-5890 as shown above, the SWI-unit assesses that it is a model number of a Guided Bomb Wing Assembly — an aeronautical structure designed to maintain a guided bomb in a stable flight, and ultimately to support the guided bomb fin. The NSN is an ITAR registered code with the International Traffic in Arms Regulations.

France are users of this NSN, which correspond with France's position that two Mirage 2000's were used to execute the missile attack. This rules out the possibility that the Reaper drone conducting the ISR mission conducted the attack itself. Other countries, including Singapore, Netherlands, Italy, Denmark and Norway are users of this NSN. The cage code found for the remnant cite the Raytheon Company (CAGE 96214) and the Department of Defense Ammunition (CAGE 99999).

However, it is not out of the ordinary for the French military to execute missiles from its Reaper drones. The first ever French drone strike occurred in December 2019, killing some 40 combatants, reportedly. Thus, the need to check, as drones in the Sahel are not only used for intelligence, surveillance and reconnaissance (ISR) missions.



# TRACKING THE AIRCRAFT

Using flight tracking data, the unit attempted to back-track the flight path of the pair of Mirage 2000 aircraft used to execute the airstrikes, in addition to the Reaper drone that conducted an ISR mission. While it is not out of the ordinary to find such data of state military aircraft, on this occasion the flight trail was not found for either types of aircraft. However, in corroborating this data, the following flight was found which was held as a potential candidate for an ISR mission over Bounti.



**Flight tracking tool, illustrating a candidate for an ISR mission over the attack location**

*Provided to SWI-unit by @Gerjon\_*

The aircraft was tracked up until 07:47 UTC and from 13:32 UTC on the same day of the attack, and seems to have been in the region. Several flight-tracking tools were used to back-track flights, and this particular aircraft came up as suspicious. However, the timing of the aircraft over the attack point did not overlap with the wedding attack. An assessment was made that the aircraft in question was a regular flight. On further investigation on the aircraft, it was linked to the code N675BA, registered in the US.



*Provided to SWI-unit by @Gerjon / Urs Rutschmann Photo ©San Marcos, TX 3 Feb 2016 / TwinOtterWorld, Aircraft History Files*

However, the potential candidate for the ISR turned out to be the above aircraft, which highly likely would not have ISR capabilities. It was concluded that it would be difficult to find such information as it was hidden on open-source tools.

There are difficulties with tracking the flight data using open-source intelligence techniques in Mali. First and foremost, Mali, in addition to the location of the airstrikes in Bounti which is one of the world's most remote regions. There are very few people living in that specific part. As a result, no entity or individual is sending data to the aircraft tracking websites and thus highly likely to miss air traffic intelligence, particularly with the low flying aircraft.

Secondly, the drones in particular are not generally visible on open-source flight tracking tools, although in other conflicts they have been for example in Syria. Fighter jets have been seen on flight tracking data, but are likely to be hidden when instructed while on a military mission.

# 6 NAMING THE DEAD

Based on an open-source intelligence, the first to publish a list of the victims of the Bounti attack was the AES Corporation on 5th January 2021. The provisional list of the killed was updated on the 6th January 2021, including an injured individual who died whilst being transported to receive medical attention. Additionally, on April 16, Matteo Maillard a France 24 journalist posted a list of 17 victims.

## OPEN SOURCE

The screenshot displays two social media posts. The top post is from 'The AES Corporation' dated 6 January, containing a French text block and an English translation. The bottom post is from 'The AES Corporation' dated 5 January, listing 18 victims. To the right, a 'Thread' of tweets from 'Matteo Maillard' (@matteomailard) dated April 16 lists 17 victims. The tweets are in French and include English translations for some names.

**The AES Corporation**  
6 January · 🌐

Le bilan s'alourdit : Boura Adouré, a lui aussi succombé de blessures suite à une arrestation du véhicule qui les transportait par les Chasseurs dozo entre Douentza et Bandiagara selon source.  
Paix à son âme !

The balance sheet is increasing: Boura Adouré, also succumbed to his injuries following an arrest of the vehicle was carrying them by the Dozo Hunters between Douer Bandiagara according to our source.  
Peace to his soul!

Hide Translation · Rate this translation

**The AES Corporation**  
5 January · 🌐

La liste provisoire des personnes tuées à Bounti dans le cercle de Douentza :

1. Hassana Barry et ses trois fils qui sont:
2. Boura Hassana
3. Mamoudou Hassana
4. Hamidou Hassana
5. Boura Aliyal et son frère
6. Yero Aliyal
7. Oussou Binguel
8. Hama
9. Hama boyiyal
10. Hama Kagnal
11. Hamidou Sambal
12. Yeroi Sambal
13. Mamoudou Sambal
14. Boyiyal
15. Hama Boulo
16. Hama Sekou
17. Demba
18. Boura Iddara

La Jeunesse Tabital Pulaaku Mali présente ses condoléances aux familles des victimes et souhaite prompt rétablissement aux blessés.

**Thread**

**Matteo Maillard** @matteomailard · Apr 16

Voici la liste :

1. Hama Boulo Diallo (Bounti)
2. Hamidou Sambal Diallo 46 ans ( Bounti)
3. Yeroi Sambal Diallo 40 ans ( Bounti)
4. Mamoudou Sambal Diallo 38ans (Bounti)
5. Adou Hama Diallo 40ans (Bounti)
6. Hambagal Diallo 43 ans ( Bounti)

1 23 52

**Matteo Maillard** @matteomailard · Apr 16

7. Hassana Ba Iddara Diallo 54ans (Bounti)
8. Boura Iddara Diallo 46ans (Bounti)
9. Mamoudou Iddara Diallo 43ans (Bounti)
10. Hamidou Iddara Diallo 41 ans ( Bounti)
11. Yero Aliyal Diallo 48ans ( Bounti)
12. Boura Aliyal Diallo 46ans (Bounti)

1 22 44

**Matteo Maillard** @matteomailard · Apr 16

13. Nouh Manga Diallo 31 ans (Bounti)
14. Hama Kagnal Diallo 26ans (Bounti)
15. Hama Sekou Diallo 45ans (Gana)
16. Oumar dit Dem Diallo 29ans (Boussouma)
17. Oussou Binguel Diallo 26 ans (Boula)

1 23 43

Replying to @matteomailard

Les blessés ayant succombé :

18. Samba Housseyni Diallo 25 ans ( Bounti), décédé au CSCOM de Kikkara
19. Boura Adouré Diallo 58 ans (Gana), achevé de son évacuation par les chasseurs dozos à l

A basic analysis of the two lists show a slight discrepancy. The following nine names on AEC Corporation's list do not appear on Matteo Maillard's list published on twitter on 16 April 2021: Boura Hassana, Mahmoudou Hassana, Hamidou Hassana, Hama, Hama Boyiyal, Hama Kagnal, Boyiyal, Demba.

The SWI-unit were told by sources on the ground that the wedding attendees highly likely use nicknames or customary names that were included in the AES Corporation's list. Nevertheless, the SWI-unit confirmed the names with sources on the ground.

# VIDEO FOOTAGE ANALYSIS OF THE VICTIMS

The SWI-unit attempted to search and track-down a video of the victims of the Bounti wedding airstrikes. In the process of capturing intelligence, a video on the Kati -24's Facebook page was found, which included a news package of what looks like a funeral (see below in red box).<sup>16</sup> A reverse image search and other open-source means was used to cross-check the funeral image and found a video that was actually an incident that was linked to Nigeria and Boko Haram — covered by CNN in 2016.<sup>17</sup>



## Boko Haram: A bloody insurgency, a gro



Still of Kati 24's Facebook page, a media news organisations which shared an edited video clip of injured victims of the airstrike. The integrated news coverage included the above thumbnail, and few seconds of a funeral which was linked to an incident in Nigeria on 7 January, 2021



# MOBILE PHONE FOOTAGE OF THE INJURED IN DOUMENTZA

Beyond the integrated funeral clip (see above), there was an original video of the victims in Douentza complaining about injuries from the Bounti wedding attack in the same package. The SWI-unit obtained the original mobile phone video from a source on the ground in Mali. To corroborate and validate the authenticity of the footage, the unit used two human sources on the ground, one of which assessed the language and produced a transcript of the video and the other that worked with victims — both confirmed the subject matter of the video as well as identification. The location of the video is in Douentza, where a medical facility took care of victims. Below are stills of the 1-minute and 53 seconds footage, showing four victims.



Stills from the mobile phone video obtained by SWI-unit, edited for illustration purposes  
Blue boxes used to anonymise victims and red circles to highlight injuries

## TRANSCRIPT

“ These are the people who got hurt. This is the one whose hand was cut. The old man in the bed, his foot was wounded. A piece of iron went through his foot.

“ They’re the ones accused of being jihadists.

“ This one’s thigh is wounded. Can these old people hold weapons? Or even less, fight?

“ There are more wounded people in the other room. This is the clinic in Douentza. Bounti is a few kilometres away from Douentza.

The video’s contents confirm MINUSMA’s findings that the civilians were treated for fragments on their backs, thighs and foot. According to sources, one of the injured victims had to have two of his fingers amputated and another had a wound on his thigh. This correspond to the stills of the mobile phone footage tracked-down by the SWI-unit, above. Two sources on the ground in Mali, confirmed that the video is of the survivors of the attack who were transferred to a medical facility in Douentza for treatment.

# 8 ASSESSMENT & ANALYSIS

The SWI-unit acknowledges that all parties to the conflict in Mali have conducted human rights abuses, including civilian casualties. In this investigation, the SWI-unit extracted credible evidence based on five testimonies — parts of two testimonies were presented in this document and the others are on file for possible future legal action. The French Ministry of Armed Forces failed to acknowledge any civilian casualties and continues with the position that a wedding was not attacked. The findings of this report, the MINUSMA report and media reporting directly undermines France Ministry of Armed Forces' assertion that no civilians were killed in the airstrikes at Bounti.

## OBLIGATION TO INVESTIGATE THE WEDDING ATTACK

The attack conducted by the French military on 3 January, 2021, is in complete violation of international human rights and international humanitarian law. France is known for its lack of transparency on civilian casualties in other conflict theatres, including a track-record of denying civilian casualties.<sup>18</sup> The French military are under a legal duty to investigate the civilian casualty allegation that took place at Bounti, Mali.<sup>19</sup> SWI-unit's investigation brings new evidence of testimonies, which clearly demonstrates that civilians were killed in the airstrikes executed by a pair of Mirage 2000 fighter jets.

France is thus obligated to provide redress to the victims for the loss and injury caused by the non-compliance of the laws of war. It is not sufficient to disregard a UN-level investigation over methodology and defend unlawful hostilities without conducting an inquiry into the said civilian casualty allegation. The witnesses interviewed by the unit confirmed that none had been approached by the French or Malian governments.

The call for transparency and accountability should not stop with France, but include the Malian Armed Forces (FAMA) and the Mali government. The FAMA effectively endorsed France's position that it did not attack a wedding procession in Bounti. In response, Mali's government must take pragmatic steps in evaluating France's execution of lethal force and request that an inquiry to come clean and conclude with ethics, morality and human rights in mind.

Additionally, Mali's support for France over the Bounti wedding attack should trigger concerns on how the host state is seeking clarity over the use of force in its country — more specifically investigating cases of civilian casualties. By delaying the instruction of an impartial and independent investigation into the civilian casualty allegation in Bounti, it prevents the right to redress to the victims.

All parties to an armed conflict are required to distinguish between combatants and non-combatants. Only those who are fighters and military objectives can be engaged using lethal

force. Targeting civilians deliberately is unlawful under international law and customary law, but more concerning will influence conflict dynamics which will not work in the host state or foreign actor's favour.

## FRENCH TARGETED KILLING POLICY?

One of the key features of this case incident is whether a targeted killing policy is in place. The fact that a drone-led system was used to identify the target makes it imperative to ensure a broader framework of abuse is not being applied — as seen elsewhere with the US drone programme in Pakistan, Somalia and Yemen.

The SWI-unit asked the French Ministry of Armed Forces (Ministere Des Armees) whether there is an official or unofficial targeted killing policy for its counter-terrorism operations. In response, the Ministry told SWI-unit: “The French armed forces apply a targeting process, respecting the law of armed conflict, which we are unable to disclose for operational security reasons.”<sup>20</sup>

In reference to the Bounti attack, the Ministry of Armed Forces told the SWI-unit: “this neutralization was carried out in accordance with the principles of targeting in force, in strict application of the law of armed conflict.”<sup>xxi</sup> The Ministry of Armed Forces continued: “For operational security reasons, we are not able to communicate on our modes of action, nor on our means of information. In addition, we cannot give you more comments.”<sup>xxii</sup>

The SWI-unit asked the French government whether it has a policy in practice whereby it uses meta-data to classify ‘military-aged-males’ as a potential suspect terrorist or combatant. In addition, whether the French military had taken intelligence, data or meta-data from any other European or American partner from a facility in Germany, Ramstein or other place that could have been used to execute a target in Mali, or Sahel more broadly. The French Ministry of Armed Forces did not answer any questions on meta-data, intelligence sharing and external partner involvement.

## HOW WAS THE TARGET CHOSEN AMIDST A WEDDING?

“

The fact that a certain number of adult men come together in an area where an armed group is active, or the absence of women and children, although useful for context, is far from enough to determine who is a member of an armed group, or that there weren't any civilians present.

**MINUSMA REPORT**

The French military came to the conclusion to attack a wedding party in Bounti purely based on “behaviour”, which was cross-checked based on intelligence collected. It is apparent that the French military are using a wide interpretation of continuous combat function (CCF)<sup>23</sup>, making it possible to target combatants in an anticipatory or pre-emptive manner. As a result, the incident illustrates that the French military are prepared to put civilians at risk of harm and fatality — which would result in a highly likelihood of a war crime.

There are wider concerns that the French military targeted the wedding in Bounti based on the behaviour of the gathering, i.e. males coming together on the ground which would equate to a signature strike, as seen in other places such as Pakistan, Somalia and Yemen.

There is likely a broader framework of abuse that took place with this attack and thus questions should be asked how the French military select targets and whether there was any intelligence sharing with external partners to ensure the correct map of abuse is being investigated.

## MISSING NARRATIVE: EUROPEAN AND AMERICAN INTEL SHARING ENTERPRISE

“

The French would be more vocal if they were positive in their assertions. They don’t want to admit anything [civilian casualties], because it would be detrimental on many fronts to their interests.

I don’t think it was all conducted in Mali — they used a Reaper. There’s a satellite connection to a facility in Europe and a US collaboration in the region. The analytical enterprise the US has might have been involved.

**CIAN WESTMORELAND, FORMER US DRONE TECHNICIAN, who built the infrastructure in Afghanistan used by the US drone programme to connect with operators on the ground and the Combined Air Operations Centre (CAOC)**

“

There has been an unfortunate pattern of civilians being victimized in the name of counter-terrorism. The strike in Bounti is only the peak of the iceberg. Every other day, Malian troops and militias kill, kidnap, and torture civilians. No investigation is currently open.

**Cian told the SWI-unit**

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Whilst there are talks by the France President Emmanuel Macron to wind-down the nation’s military footprint across West Africa, details are yet to be discussed with the US, EU and the



five Sahel countries.<sup>24</sup> What is the extent of France's intelligence sharing with its European and American allies? This discourse shifts the civilian casualty allegation in Bounti to a broader lens of abuse that could have taken place across the Sahel more broadly. France's aerial attacks or targeted airstrikes, as well as its drone warfare capabilities have been below the radar without any public or expert scrutiny.

France is part of the European Partnership Integration Enterprise (EPIE) facility based at Ramstein Air Base in Germany. The facility amalgamates a coalition of intelligence, surveillance and renaissance (ISR) capabilities of intelligence from the US, Denmark, Belgium, Italy, Netherlands, Spain and France all in one facility.<sup>25</sup> This intelligence effectively provides 'reachback' which permits several commanders across multiple theatres to access capability and execute targets in collaboration.<sup>26</sup>

The SWI-unit put questions to the United States Africa Command (AFRICOM), U.S Department of Defense (DOD) and the French Ministry of Armed Forces (*Ministère des Armées*) for clarity on data-sharing, meta-data and / or any other cooperation — via military and non-military personnel - between each other on the Bounti wedding attack. However, none of the government departments responded to the questions. More general questions were also asked on cooperation for Operation Barkhane, but no response was given.<sup>27</sup> A Freedom of Information Act request is pending with AFRICOM on the matter.<sup>28</sup>

These questions on cooperation and intelligence sharing becomes more pertinent, particularly when a global communications infrastructure already exists. Consequently, whether the French military targeted the Bounti wedding purely based on electronic surveillance and signalling is yet to be seen. All of this, in perspective with the fact that France is part of EPIE, which consolidates intelligence and 'reachback' between America and European allies triggers uncomfortable questions on potential accomplices.<sup>29</sup>

## THE CITEL MOBILE PHONE

A CITEL brand mobile phone was included in the MINUSMA report as one of the items found in the aftermath of the attack. Whilst the report does not suggest that this was the only mobile phone present at the time of the attack, there highly likely were other devices. The significance behind this is that it could have been used for tracking a target — as revealed by NSA Documents leaked by whistleblower Edward Snowden.<sup>30</sup> It begs the question whether a similar intelligence operation was replicated at the Bounti wedding, based on the five members of an armed group attending — who did not at the time of the attack have a continuous combat function (CCF) or posed a concrete, specific and imminent threat to MAFa or Operation Barkhane.



Remains of a CITEL brand mobile phone. According to MINUSMA no sim was found in the phone MINUSMA

A source that cannot be named told the SWI-unit that the “algorithms used to track mobile phones and meta-data are highly problematic as it creates a very broad margin for error”.

Metadata collection was a feature used by the French military in their target decision making process. The use of strikes based on “behavior of the individuals” triggers legal uncertainty on how the military in this instance interprets the laws of war.

France’s domestic legal infrastructure enables its intelligence agencies including the General Directorate for External Security (DGSE in French) and the General Directorate for internal security (GDSI in French) to engage in intelligence sharing for counter-terrorism purposes. The DGSE operates under the command of the Ministry of Armed Forces, and cooperates with the domestic security apparatus GDSI. All of the agency’s operations are classified, including the Special Operations Command (Commandement Des Operations Speciales (COS) which works with all type of military forces. From wiretapping to robust surveillance programmes for intelligence agencies, the domestic legal infrastructure enables all intelligence sharing required to ensure EPIE operates seamlessly.

In June 2021, President Emmanuel Macron announced a draw-down of French forces across the Sahel that will be implemented in an “organised” approach.<sup>31</sup> It is likely that French drones may continue to hover the skies of the Sahel. Thus, it is prime time to ensure a possible legacy of international human rights and laws of war violations are not left without redress. France’s lack of transparency and accountability procedures over civilian casualties in general, including Syria and Iraq should not be resembled in Mali.

## 9 ACKNOWLEDGEMENTS

The SWI-unit would like to thank all the survivors and relatives who agreed to be interviewed. This is a special act of bravery that permits the unearthing of human rights intelligence on abuses in Mali. It is hoped that this endeavor will sow the seeds for any future legal action and to begin conversations regarding France's use of drones, airstrikes, transparency and accountability over civilian casualties in West Africa. The SWI-unit gives special thanks to Amandla Thomas Johnson, Yasmin Khatun, Lisa Ling, Cian Westmoreland, Sheima Zouaghi, @Gerjon\_ , Nick Waters, ACLED, Hamadoun Dicko, and Dougoukolo Baba Alpha Oumar Ba Konaré.

# 10 RECOMMENDATIONS

“

If France wants to help, it should start by acknowledging its mistakes and pulling its partners up to its standards. Terrorism is not limited to jihadists. The fight for civilians is not only a humanitarian issue, it's also a security issue. This is why civil society organizations and human rights activists cannot be put aside and silenced. We will continue our work of denunciation and demanding accountability.

**DOUGOUKOLO A.O. BA KONARÉ, CO-FOUNDER OF KISAL OBSERVATORY<sup>32</sup>**

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With this in mind, SWI-unit recommends the following:

## **1 THE FRENCH ATTACKS IN BOUNTI ON 3 JANUARY 2021 REQUIRE AN URGENT INDEPENDENT INVESTIGATION INTO THE CIVILIAN CASUALTIES AND INJURIES**

The French Ministry of Armed Forces must release its legal justification for the attacks on the wedding in Bounti, so that it can be assessed by legal experts.

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The French government must make public any official or unofficial targeted killing policy it may have for targeting individuals abroad in the Sahel and beyond. It will be paramount to assess how the French government is administering jurisprudence and interpreting the laws of war in terms of distinction, proportionality and rules on Continuous Combat Function (CCF).

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The French government must release the communication transcript between the drone pilot, any intelligence officer and / or commander that called in the airstrikes via the pair of Mirage 2000 fighter aircrafts to fully understand what happened in real-time.

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## 2 THE FRENCH MINISTRY OF ARMED FORCES, UNITED STATES DEPARTMENT OF DEFENSE (DOD), UNITED STATES AFRICA COMMAND (AFRICOM), INCLUDING ANY OTHER EUROPEAN PARTNERS IN EPIE MUST STOP BEING COMPLICIT IN UNLAWFUL ACTIVITIES AGAINST CIVILIANS IN WEST AFRICA, SWI-UNIT DEMANDS

We understand that intelligence sharing is part of the security infrastructure, but morality and ethics must not be put aside. Stop data sharing that will lead to the killing of civilians.

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France, including others potentially implicated in military objectives in the Sahel must consider implementing a civilian casualty transparency procedure.

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The French, American and other European governments receiving Freedom of Information Requests should reveal any information to better understand the extent of intelligence sharing across West Africa. Citizens of each state are entitled to know why people are being killed in their name.

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# 11 APPENDIX

## 1 DOCUMENTATION BY STOKE WHITE INVESTIGATIONS

YEAR OF INCIDENT	NAME	LOCATION OF INCIDENT	ISSUE
2021	MM	BOUNTI, MALI	WITNESS / RELATIVES KILLED / INJURED
2021	AD	BOUNTI, MALI	WITNESS / RELATIVES KILLED / INJURED
2021	IF	BOUNTI, MALI	WITNESS / RELATIVES KILLED / INJURED
2021	JK	BOUNTI, MALI	WITNESS / RELATIVES KILLED / INJURED
2021	UK	BOUNTI, MALI	WITNESS / RELATIVES KILLED / INJURED

## ENDNOTES

- 1 Witness testimony (MM) interview with SWI-unit, May-June 2021
- 2 Witness testimony (AD) interview with SWI-unit, May-June 2021
- 3 Interview, Cian Westmoreland with SWI-unit, May-June 2021
- 4 Interview Dougoukolo A.O. BA KONARÉ with SWI-unit, May-June 2021
- 5 UN investigation concludes French military airstrike killed Mali civilians, UN News (30 March 2021) <https://news.un.org/en/story/2021/03/1088722>
- 6 The AES Corporation Facebook page <https://www.facebook.com/The-AES-Corporation-328349871075841>
- 7 France says dozens of jihadists killed in weekend Mali air strike, France 24 (5 January 2021) <https://www.france24.com/en/africa/20210105-france-says-dozens-of-jihadists-killed-in-weekend-mali-air-strike>
- 8 Communique de presse Operation Barkhane frappe contre un rassemblement de membres d'un groupe arme terroriste dans la region de Douentza, Ministry Des Armes (7 January 2021) [https://www.defense.gouv.fr/salle-de-presse/communiqués/communique-de-presse\\_operation-barkhane\\_frappe-contre-un-rassemblement-de-membres-d-un-groupe-arme-terroriste-dans-la-region-de-douentza](https://www.defense.gouv.fr/salle-de-presse/communiqués/communique-de-presse_operation-barkhane_frappe-contre-un-rassemblement-de-membres-d-un-groupe-arme-terroriste-dans-la-region-de-douentza)
- 9 Ibid
- 10 Ibid
- 11 Communique Reaction au rapport de la Minusma sur les frappes de Janvier au Mali, Ministere Des Armees (30 March 2021) [https://www.defense.gouv.fr/english/salle-de-presse/communiqués/communique\\_reaction-au-rapport-de-la-minusma-sur-les-frappes-de-janvier-au-mali](https://www.defense.gouv.fr/english/salle-de-presse/communiqués/communique_reaction-au-rapport-de-la-minusma-sur-les-frappes-de-janvier-au-mali)
- 12 Consultation with ACLED. Note: The ACLED only records reported fatalities, so all of these figures should be understood as estimates rather than exact counts. When and where possible, ACLED researchers seek out information to triangulate the numbers from any report, ACLED do not independently verify fatalities. ACLED records fatalities only when a reputable source has relayed that information, and always uses the most conservative fatality estimate available. These figures are revised and corrected — upward or downward — when more information becomes available (here's a [primer on our fatality methodology](#)).
- 13 Exclusive: The French military has killed at least 43 civilians in Mali since 2018, Sahelien.com (10 June 2021) <https://sahelien.com/en/french-military-has-killed-at-least-43-civilians-in-mali-since-2018>
- 14 Europe's shame: Claims by key allies of no civilian harm in war against ISIS exposed, AIRWARS (15 March 2020) <https://airwars.org/news-and-investigations/europes-shame-claims-of-no-civilian-harm-exposed>
- 15 French army deploys drone strike for first time in Mali (December 2019) <https://www.theguardian.com/world/2019/dec/23/french-forces-kill-40-jihadists-during-operation-in-mali>
- 16 Kati-24 Facebook page <https://www.facebook.com/TiebaDuMali>
- 17 Boko Haram: A bloody insurgency, a growing challenge, CNN (1 February 2016) <https://edition.cnn.com/2014/04/17/world/africa/boko-haram-explainer/index.html>
- 18 France's war without accountability, AIRWARS (1 May 2019) <https://airwars.org/news-and-investigations/french-non-accountability-for-civilian-harm>
- 19 ICRC, Customary International Humanitarian Law, rule 158, citing, e.g., Fourth Geneva Convention, art. 146
- 20 Interview with French Ministry of Armed Forces, SWI-unit May-June 2021
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- 23 Direct participation in Hostilities under International Humanitarian Law, ICRC <https://www.icrc.org/en/doc/assets/files/other/icrc-002-0990.pdf>
- 24 France ends West African Barkhane military operation, Reuters (10 June 2021) <https://www.reuters.com/world/africa/france-announce-troop-reduction-sahel-operations-sources-2021-06-10>
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- 26 AF Relies on Reachback Capabilities, Defense Aerospace [http://www.defense-aerospace.com/article-view/release/8378/usaf-%22reachback%22-is-key-ops.-asset-\(jan.-24\).html](http://www.defense-aerospace.com/article-view/release/8378/usaf-%22reachback%22-is-key-ops.-asset-(jan.-24).html)
- 27 An extensive FOIA request was submitted
- 28 An FOIA has been submitted to AFRICOM
- 29 European Partnership Integration Enterprise Opens New Facility, (24 August 2019) [http://www.defense-aerospace.com/article-view/release/8378/usaf-%22reachback%22-is-key-ops.-asset-\(jan.-24\).html](http://www.defense-aerospace.com/article-view/release/8378/usaf-%22reachback%22-is-key-ops.-asset-(jan.-24).html)
- 30 NSA 'drone strikes based on mobile phone data', Independent (10 February 2014) <https://www.independent.co.uk/news/world/politics/nsa-drone-strikes-based-mobile-phone-data-9119735.html>
- 31 Macron announces the end of France's anti-Islamist operation Barkhane in the Sahel, France 24 (10 June 2021) <https://www.france24.com/en/africa/20210610-live-macron-to-announce-a-restructuring-of-french-forces-in-mali>
- 32 Interview with SWI-unit, May-June 2021





**FRANCE'S SHADOW WAR IN MALI**  
AIRSTRIKES AT THE BOUNTI WEDDING

STOKE  WHITE  
INVESTIGATIONS