



Mali

Country Reports on Human Rights Practices - [2001](#)

Released by the Bureau of Democracy, Human Rights, and Labor

March 4, 2002

Mali is a constitutional democracy that continued to implement a decentralized form of government. President Alpha Oumar Konare was reelected to a second 5-year term in 1997. A collective of 12 opposition parties boycotted the 1997 presidential and legislative elections, which were flawed administratively but considered generally free and without evident fraud. The opposition parties claimed that the elections were unconstitutional because the Government failed to carry out annual updates of electoral lists; however, some opposition candidates chose to participate by running as independents. The ruling Alliance for Democracy in Mali (ADEMA), led by President Konare, dominates the National Assembly, which includes representatives of opposition parties. The Constitution provides for an independent judiciary; however, in practice the Government continued to exert influence on the judiciary.

Security forces are composed of the army, air force, Gendarmerie, the National Guard, and the police. While civilian authorities generally maintained effective control of the security forces, there were a few instances in which security forces acted independently of government authority. The army and air force are under the control of the civilian Minister of the Armed Forces and Veterans, as are the Gendarmerie and the National Guard. The police are under the Ministry of Security and Civil Protection. The police and gendarmes share responsibility for internal security; the police are in charge of urban areas only. Some members of the security forces committed human rights abuses.

Mali is a very poor country with a market-based economy, and its population is approximately 11 million. Most of the work force is employed in the agricultural sector, particularly farming and animal husbandry. The country's principal exports are cotton, livestock, and gold. There is a very small industrial sector, largely based on the manufacture of textiles, beverages, and processed food products. The gross national product was approximately \$250 (181,250 CFA francs) per capita, which provides most of the population with a low standard of living. The economy depends heavily upon foreign assistance. Desertification, deforestation, soil degradation, and social limitations, including a current estimated literacy rate of approximately 30 percent (48 percent for men and 12 percent for women) and a high population growth rate (2.8 percent), contributed to poverty. Poor infrastructure, minimal foreign investment, administrative inefficiency, and corruption also were important factors in limiting economic growth.

The Government generally respected its citizens' human rights; however, problems remained in several areas. In 2000 security forces reportedly tortured and killed two suspects in custody. After nearly 2 years, the Government has not released the results of an investigation into the incident. Prison conditions remained poor. Occasionally police arbitrarily arrest and detain persons. Prolonged pretrial detention is a problem. The judicial system's large case backlog resulted in long periods of pretrial detention and lengthy delays in trials. The judiciary continued to be subject to executive influence, and there were reports of corruption in the courts. The Government generally respects freedom of speech; however, in June the mayor of Bamako was convicted of defamation. Domestic violence against women was widespread. Discrimination against women persisted, and social and cultural factors continued to limit sharply economic and educational opportunities for most women. Female genital mutilation (FGM) is widespread, although educational campaigns against FGM are underway. Child labor is frequent in agriculture and domestic areas. Children were trafficked into forced labor in Cote d'Ivoire; the Government returned a number of these children to their families during the year. Hereditary servitude relationships continued to link different ethnic groups.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year; however, in 2000 there were reports that security forces committed extrajudicial killings. Following the 2000 killings of 3 tourists in Kidal, the Government questioned at least 40 persons and detained 9 in connection with the killings. Three suspects reportedly died while being transported to jail; there were reports that soldiers tortured and killed two of the suspects (see Section 1.c.). Three other suspects remained in detention at year's end (see Section 1.d.). In 2000 the Government initiated an investigation into the incident, but it had not released the results by year's end. No action was taken against the soldiers accused of the torture and killing of the two suspects by year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, in 2000 there were reports that soldiers tortured and killed two suspects arrested in connection with the February 2000 murder of three tourists (see Section 1.a.). No action was taken against the soldiers accused of the torture and killing of the two suspects by year's end. There were no new reports of torture by security forces during the year.

In June in Bamako, a bus driver fell or jumped to his death from a bridge while being pursued by the police. Bus drivers blamed the police for the death and rioted; they attacked police officers and destroyed police shelters and traffic lights. After the rioting, police and city officials met with representatives from the "umbrella" national union. The drivers agreed to use union funds to pay for repairs to traffic lights and other public facilities damaged in the riots; by year's end, most of the police shelters and traffic lights had been repaired.

Some police and gendarmes extorted bribes at vehicle checkpoints (see Section 2.d.).

On January 3 in Tarkint, armed men attacked the Gendarmerie Headquarters, took four gendarmes hostage, and stole four vehicles, some firearms, and ammunition; two gendarmes were injured in the attack. There were unconfirmed reports that the assailants belonged to the group led by ex-Tuareg rebel Ibrahim Bahanga. In June Bahanga and the Government signed a peace agreement, and no additional incidents were reported during the year.

Prison conditions are poor. Prisons continued to be overcrowded, medical facilities were inadequate, and food supplies were limited. A new prison facility for women and juveniles was built in Bamako during the year. The new prison has allowed for some separation of prison populations in Bamako; however, the situation remains unchanged outside the capital, where men and women are housed in the same building but in separate cells. In Bamako juvenile offenders usually are held in the same prison as adult offenders, but they are kept in separate cells. There were no reports that women or juveniles were abused by other inmates or by guards. Pretrial detainees are held in the same compound as convicted prisoners.

The Government permits prison visits by human rights monitors. Several organizations, including the Malian Association of Human Rights, the Malian Association of Women Jurists, and other nongovernmental organizations (NGO's) have visited prisoners and are working with women and juvenile prisoners to improve their conditions. The International Committee of the Red Cross (ICRC) continued to visit imprisoned leading members of the former government.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions; however, on occasion police arrest and detain persons arbitrarily.

Judicial warrants are required for arrest. The normal procedure is for the complainant to deliver the warrant, which stipulates when the person is to appear at the police station. In some cases, the police will serve a warrant. This normally is done at the request of a relative or if there is a bribe. Frequently in cases where money is involved, the arrested person will agree to resolve the case at the police precinct; and the police will receive a portion of the recovered money.

The Constitution provides that suspects must be charged or released within 48 hours and that they are entitled

to counsel; however, in practice detainees are not always charged within the 48-hour period.

Limited rights of bail or the granting of conditional liberty exist, particularly for minor crimes and civil matters. On occasion the authorities released defendants on their own recognizance.

In October the police arrested and detained 36 Pakistani preachers for allegedly entering the country illegally. One of the men was charged with possession of false passports and remained in custody at year's end. The others were released and allowed to leave the country; however, it was unclear whether they had departed.

In February 2000, security forces questioned at least 40 persons and arrested 9 suspects in connection with the murder of 3 tourists. According to reports, soldiers tortured and killed two of the suspects (see Sections 1.a. and 1.c.); three of the suspects remained in detention at year's end. The Government issued warrants for murder, but the investigation continued at year's end.

Administrative backlogs and insufficient lawyers, judges, and courts often caused lengthy delays in bringing persons to trial. In extreme cases, individuals have remained in prison for several years before coming to trial. Local lawyers have estimated that approximately half of prison inmates are pretrial detainees. This conclusion was confirmed in March 1999 during the Judiciary Forum seminar.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the executive branch continued to exert influence over the judicial system. The Ministry of Justice appoints and has the power to suspend judges; it supervises both law enforcement and judicial functions. The President heads the Superior Judicial Council, which oversees judicial activity. Domestic human rights groups alleged that there were instances of bribery and influence peddling in the courts. In 2000 the Government launched a campaign against corruption that led to the detention of many senior civil servants, businessmen, and political leaders from all parties. At year's end, they still were detained and under investigation.

The Supreme Court has both judicial and administrative powers. The Constitution established a separate Constitutional Court that oversees issues of constitutionality and acts as an election arbiter. The Constitution also provides for the convening of a High Court of Justice with the power to try senior government officials in cases of treason.

Except in the case of minors, trials are public, and defendants have the right to be present and have an attorney of their choice. Defendants are presumed innocent and have the right to confront witnesses and to appeal decisions to the Supreme Court. Court-appointed attorneys are provided for the indigent without charge. The village chief in consultation with the elders decides the majority of disputes in rural areas. If these decisions are challenged in court, only those found to have legal merit are upheld.

In 1997 former President Traore, his wife Mariam, and former customs director Abdramane Douah Sissoko, who were placed under detention following the fall of the Traore regime in 1991, were charged with "economic crimes," including "abuse of a position of power" and "illicit enrichment." Five other senior officials of the Traore regime also were tried in 1997 on similar charges. Traore, his wife Mariam, and Sissoko were convicted and sentenced to death in January 1999; these sentences also were commuted in 1999, and they are serving life sentences. In August 2000, Traore and his wife were released in order to travel to Algiers for medical treatment; they returned after they received treatment, and they remained in prison at year's end. Early in the year, charges were dismissed against the five other senior officials of the Traore regime, and they were released from prison. On May 2, President Konare pardoned Sissoko, who was the last of the senior officials from the Traore regime still in prison.

There were no other reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respects this right in practice. Police searches are infrequent and require judicial warrants. However, security forces maintain physical and technical surveillance of individuals and groups believed to be threats to internal security, including surveillance of telephone and written correspondence of individuals deemed by a magistrate to be a threat to national security. There were no reports of such government surveillance during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. However, in June the mayor of Bamako was convicted of defamation and sentenced to 3 months in prison for suggesting that the country's judges were corrupt; the Chairman of the National Broadcasting Company also was charged with defamation because he allowed the comments to be broadcast. The complaint against the judge and broadcaster was withdrawn after members of the bar association, former judges, women's and Islamic groups, and traditional griots appealed to the Secretary General of the Judges Association. The case was closed following negotiations between the judges association, the mayor, and the broadcaster.

The Superior Council of Communication's (CSC) primary function is to regulate the media, both protecting and controlling journalists. The Committee of Equal Access to State Media is activated during election campaigns. Mandated by the Constitution, it oversees equal access to the government-controlled media for all political parties.

There are more than 30 private newspapers and journals in French, Arabic, and local languages throughout the country, and there are as many as 20 newspapers in Bamako. There are 10 or more daily newspapers and many others are biweeklies; 6 are privately owned, of which 1, *Les Echos*, is allied with the ruling party, and 1 is government-controlled (*L'Essor*). All newspapers must be registered with the Ministry of Communications; however, registration is not complicated and can be completed quickly.

The Minister of Territorial Administration and Security can prohibit religious publications that he concludes defame another religion; however, there were no reports of instances in which publications were prohibited.

The Government controls the only television station and 1 of more than 100 radio stations; however, all present a wide range of views, including those critical of the Government, the President, the Prime Minister, and other politicians. The relative expense of newspapers and television, coupled with a low literacy rate, made radio the most prevalent medium of mass information and communication. There are as many as 15 private radio stations in Bamako, and there are approximately 115 additional stations throughout the country. In addition to commercial radio stations, private or community radio broadcasters included those run by associations and others directed toward smaller villages (the latter two radio services enjoy special tax advantages).

A number of foreign broadcasters operated in Bamako either through local media or a chosen affiliate. These included Radio France Internationale, African No. 1, and the British Broadcasting Corporation (BBC); all have frequency modulation (FM) frequencies. Voice of America has a local FM affiliate.

Domestic reception and distribution of foreign satellite and cable television is permitted and fairly widespread, especially in Bamako. There are no private television stations that broadcast domestically produced programs. The legal framework for private television has been in place since 1992; however, the Government still is developing the fee schedules. The Government made no progress toward private television licensing during the year.

The Government does not censor print, broadcast, or electronic media, which frequently offered editorials critical of both the Government and the opposition. Laws passed in 1993 regulate the press and provide for substantial criminal penalties, including imprisonment, for libel and for public injury to the Head of State, other officials, and foreign diplomats; these laws leave injury undefined and subject to judicial interpretation. However, the Government never has prosecuted journalists on criminal libel charges. No journalists were arrested on libel charges during the year. In August 2000, the National Assembly approved a proposal to eliminate imprisonment as a punishment for libel charges; however, at year's end, the proposal had not been implemented as law.

Eight domestic servers provide access to the Internet. Licenses to operate Internet servers are granted freely and are not prohibitively expensive.

The Government does not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respects these rights in practice. The law requires groups that wish to hold public meetings to obtain the mayor's permission; however, such permission was granted routinely during the year.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. There is no state religion; the Constitution defines the country as a secular state and allows for religious practices that do not pose a threat to social stability and peace.

The Government requires that all public associations, including religious associations, register with the Government. However, registration confers no tax preference and no other legal benefits, and failure to register is not penalized in practice. The registration process is routine and is not burdensome. Traditional indigenous religions are not required to register.

The Minister of Territorial Administration and Security can prohibit religious publications that he concludes defame another religion; however, there were no reports of instances in which publications were prohibited.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respects them in practice. Police routinely stop and check both citizens and foreigners to restrict the movement of contraband and to verify vehicle registrations. Some police and gendarmes used the occasion to extort bribes.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. A national committee in charge of refugees operates with institutional assistance from the office of the U.N. High Commissioner for Refugees (UNHCR). The Government cooperates with the UNHCR and other humanitarian organizations in assisting refugees. The Government provides first asylum for refugees.

According to both UNHCR and government estimates, there were approximately 11,000 Mauritanian refugees, mostly Fulani herders, living in the Kayes region in the western part of the country at year's end. However, the UNHCR, the Government of Mauritania, and the Government never have agreed on recognition of the refugee status of these persons, who have lived in the country for nearly a decade; members of these pastoralist border groups historically make cross-border migrations. Mauritians may register for refugee status, although few actually do.

The country hosted approximately 1,900 urban refugees as of year's end; four-fifths are from Sierra Leone and 90 percent are in Bamako. The Government has a transit center located 120 miles from Bamako, where it hosts approximately 100 of the most vulnerable refugee and asylum applicants. The center has a capacity of approximately 300 persons and could be expanded to hold 900.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Under the Constitution, the President is Chief of State and Commander in Chief of the armed forces and is elected for a term of 5 years with a limit of two terms. The President appoints the Prime Minister. Additionally, the President appoints other members of the Government and sets limits on their powers. He names civil servants (national directors, regional government delegates, and others) and high military officers as mandated by the Constitution. The President also promulgates laws within 15 days, following transmission to the Government of a final adopted text. He can veto and return legislation to the National Assembly for reconsideration. There is no provision for the National Assembly to override a presidential veto. The President may submit any question of national interest to a referendum after consultation with the Constitutional Court. He exercises the power of pardon and can grant amnesty. The President may dissolve the National Assembly and call for new elections, although not in the year following legislative elections. Theoretically he can declare a state of emergency and rule by decree, although President Konare has never done so.

In 1997 citizens elected President Alpha Oumar Konare to a second 5-year term by secret ballot in elections

that were open to all and free of evident fraud and manipulation. However, there were reports of irregularities, such as persons voting in place of persons who had died; underage persons voting; and persons registered to vote in more than one area. Konare won 96 percent of the vote, but voter turnout was reportedly 20 to 25 percent; most opposition parties boycotted the election, citing flaws in the voter registration system. The opposition contended that the Government failed to carry out constitutionally mandated annual electoral list revisions and that, therefore, the elections should be declared invalid. A new census was conducted in late 2000. The Government and opposition parties reviewed and revised the electoral lists during the year, and new electoral lists were scheduled for release in early 2002.

National Assembly members were elected in 1992 and 1997. The Constitutional Court cancelled the results of the initial 1997 legislative elections, citing flaws in the electoral process. These elections were repeated later in 1997, and the results were implemented. Citing problems in the voter registration process, a collective of 18 opposition parties boycotted these elections, which, although administratively flawed, were considered by most independent observers to be generally free and without evident fraud. ADEMA holds 95 of 147 seats in the National Assembly, Rally for Mali holds 35, and opposition parties hold the remaining 17 seats.

Governing authority is shared by elected mayors in the 701 communes (including the 19 cities), and appointed officials ("commissaires du gouvernement") who are the representatives of the central Government in the District of Bamako, the regions, and the cercles (districts roughly equivalent to counties). Local governments benefit from central government subsidies, but they also are able to collect local taxes to support their operations. Decentralization still is a controversial issue. The process has changed traditional power relationships between government and the governed and has relieved formerly powerful civil servants of their authority. The new administrators often are inexperienced and undereducated. Despite governmental pressure to move ahead with decentralization, the nonparliamentary opposition says that the Government is moving too fast and should implement the process step by step as administrators lack adequate funding to govern effectively.

After local elections in 1998 held to choose council members (who oversee the activities of mayors in the communes and suggest procedures and policies) for the 19 urban communities, the long-awaited rural elections were carried out in May and June 1999. Several opposition parties that had boycotted earlier elections participated in the rural elections with considerable success.

All political parties agreed to participate in and to prepare for elections scheduled for 2002. The process of amending the Constitution, the electoral law, and other texts began during a National Political Forum in January 2000 that involved political parties, civil society, and the Government. In August 2000, the National Assembly approved changes to the Constitution and approved changes to the electoral law. The constitutional amendments and the revised electoral law must be approved by referendum. In November the Government postponed indefinitely the referendum, which had been scheduled for December 23, due to increasing criticism and opposition from civil society and opposition parties and a failure to achieve an acceptable consensus. The referendum was not rescheduled by year's end.

The percentage of women and minorities in government or politics does not correspond to their percentage of the population; however, there are no restrictions, legal or otherwise, on voting by women or minorities. A total of 18 women hold seats in the 147-member National Assembly, compared with 3 elected in 1992. There are 6 female cabinet members of a total of 20. Members of historically marginalized pastoralist ethnic minorities, including the Fulani and the Tuaregs, occupy seats in both the Cabinet and National Assembly. The President of the Assembly is Fulani (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several independent domestic human rights organizations—including the Malian Association for Human Rights (AMDH), a smaller Malian League of Human Rights, and a local chapter of Amnesty International—generally operate without government interference, investigating and publishing their findings on human rights cases. Government officials are generally cooperative and responsive to their views. The ICRC has offices in Bamako, Tombouctou, and Gao.

Since 1994 the Government has held an annual Democracy and Human Rights Forum in December to which it has invited citizens to voice discontent and grievances against the Government publicly in the presence of the media and international human rights observers. The events are well attended by local citizens from all walks of life, and discussion is free and open. Each year before the Forum, the Government publishes a report to assess implementation of the Forum's recommendations. Held on December 10, the Democracy Forum convened to review the previous year's work and to make recommendations to the Government. The topics for discussion included women's rights, access to government services, and judicial reform. The Forum called on

the Government to make these issues a priority in the coming year.

In 2000 the President appointed a special anticorruption prosecutor, Amadou Ousmane Toure, to pursue corruption at all levels, regardless of who is implicated.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on social origin, color, language, sex, or race, and the Government respects these provisions in practice; however, social and cultural factors give men a dominant role.

Women

Domestic violence against women, including spousal abuse, is tolerated and common; however, no statistics were available on the extent of the problem. Assault in marriage is a crime; however, police were reluctant to enforce laws against domestic violence.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, is common, especially in rural areas, and is performed on girls at an early age. According to domestic NGO's, approximately 95 percent of adult women have undergone FGM. The practice was widespread among most regions and ethnic groups, is not subject to class boundaries, and is not religiously based. There are no laws against FGM, and the Government has not proposed legislation prohibiting FGM. The Government is pursuing a program of public awareness rather than legal prosecution of women involved in the practice. It supported educational efforts to eliminate the practice through seminars and conferences and provides media access to proponents of its elimination. The National Committee Against Violence Towards Women links all the NGO's active in preventing FGM. Throughout the year, various NGO's campaigned against FGM. In 1999 the Government instituted a two-phased plan to eliminate all forms of FGM by 2008. The first phase, scheduled for 1999-2004, is intended to be one of education and dissemination of information. There has been some public dissemination of information in urban areas, but the program has developed slowly.

Women have very limited access to legal services. They are particularly vulnerable in cases of divorce, child custody, and inheritance rights, as well as in the general protection of civil rights.

Despite legislation giving women equal rights regarding property, traditional practice and ignorance of the law prevent women from taking full advantage of the law. Prospective spouses choose between polygynous and monogamous marriages; both parties must consent to the marriage. However, when no preference is specified in the marriage certificate, judges assume that the marriage is polygynous. A community property marriage must be specified in the marriage contract. Traditional practice discriminates against women in inheritance matters. For example, men inherit most of the family wealth, and women receive a much smaller portion of estates.

Women's access to employment in the professions and government, and to economic and educational opportunities, traditionally has been limited. A 1995-96 national demographic and health survey found that 81 percent of women (compared with 69.3 percent of men) between the ages of 15 and 49 received no education. A 1998 report indicated that the national literacy rate was 12 percent for women more than 15 years of age. Women constitute approximately 15 percent of the labor force. The Government, the country's major employer, paid women the same as men for similar work. Women often live under harsh conditions, especially in rural areas, where they perform difficult farm work and do most of the childrearing.

Women have equal access to military service, and there are approximately 2,500 women and 8,000 men in the armed forces. Service in the armed forces is not obligatory; there is alternative national service available to both men and women.

In 1996 the Government launched a 4-year national plan of action for the promotion of women. The plan, financed by national, regional, and local community budgets, sought to reduce inequalities between men and women in six target areas, including education, health, and legal rights. Despite its initial 4-year mandate, the plan was not close to completion, and it was not extended officially by year's end. During the year, the Ministry for the Promotion of Women, Children, and the Family was working on a second 4-year action plan that would continue programs started during the first action plan.

There are numerous active women's groups that promoted the rights of women and children.

Children

Education is free and, in principle, open to all, although the majority of students leave school by the age of 12. Students must provide their own uniforms and school supplies to attend public schools. While primary school is compulsory, only 56 percent of children receive a basic education (46 percent for girls) because there is a low degree of adherence to the requirement for compulsory education, a lack of primary schools, poverty, cultural tendencies to place less emphasis on education for girls, and the fact that most of the population live in rural areas. Literacy rates among girls remained significantly lower than for boys.

There is no constitutional or legal provision to protect the interests and rights of children, and there is no juvenile court system. However, the Social Services Department investigates and intervenes in cases of reported child abuse or neglect. According to local human rights organizations, reported cases are rare; however, statistics are unreliable.

FGM is performed commonly on young girls (see Section 5, Women).

There were credible reports that children were sold and trafficked into forced labor in Cote d'Ivoire (see Sections 6.c. and 6.f.).

Child labor is a problem (see Section 6.d.).

Persons with Disabilities

There is no specific legislation protecting the rights of persons with physical or mental disabilities or mandating accessibility. The Government does not discriminate against persons with physical disabilities in regard to employment, education, and other state services; however, the Government has not made provision for persons with disabilities in these areas. There is no societal discrimination against persons with disabilities; however, in view of the high unemployment rate, persons with physical disabilities often are unable to find work.

National/Racial/Ethnic Minorities

The population is ethnically, culturally, and regionally diverse. Major ethnic-cultural groups include the following: The Mande, concentrated in the southwest, constituting approximately half the population and including the Bambara and Malinke ethnic groups; the Voltaic, concentrated in the south and comprising the Bobo and Senoufo groups; the Sudanic, concentrated in the central regions and comprising the Sarakole, Songhai, Dogon, and Bozo groups; and the pastoralists, comprising the Tuaregs and Moors of the northeast and northwest, respectively, and the Peul (or Fulani) who are dispersed from widely east to west across the southern third of the country.

No single ethnic group predominates in either the private sector or the public sector. All three presidents since independence have been affiliated with the Bambara group, which accounts for roughly half of the country's population, but no ethnic group holds disproportionate numbers of government positions or predominates in the military or civil service. Political parties, by and large, do not have readily identifiable ethnic bases, but some reflect regional constituencies.

Longstanding tensions between the marginalized Moor and Tuareg pastoralist groups and the more populous nonpastoralist groups have been a leading source of political instability and violence, including the Tuareg rebellions of the early 1990's. On February 24, a group led by former army officer Ibrahim Bahanga, who was among the Tuareg rebels incorporated into the army after the rebellion in the 1990's, attacked the Gendarmerie and kidnaped 10 soldiers. The soldiers were released after the rebels signed an agreement with the Government in June. Unlike in previous years, there were no reports of violent incidents between ethnic groups during the year.

Section 6 Worker Rights

a. The Right of Association

The Constitution and the Labor Code specifically provide for the freedom of workers to form or join unions and protect freedom of association. Only the military, the Gendarmerie, and the National Guard are excluded from forming unions. Virtually all salaried employees are organized. Workers have established independent unions for teachers, magistrates, health workers, and senior civil servants, and most are affiliated with the National

Union of Malian Workers (UNTM) confederation. The UNTM has maintained its autonomy from the Government. There are two major labor federations, the UNTM and the Syndicated Confederation of Malian Workers (CSTM).

The Constitution provides for the right to strike, although there are restrictions in some areas. For example, civil servants and workers in state-owned enterprises must give 2 weeks' notice of a planned strike and must enter into mediation and negotiations with the employer and a third party, usually the Ministry of Labor. The Labor Code prohibits retribution against strikers, and the Government respects this requirement in practice.

During the year, the Government negotiated with all labor unions a social pact intended to encourage more discussions between workers and employers, thus lessening the risk of strikes; however, during the year, railroad and cotton parastatal workers went on strike. Both strikes were mediated, and the parties signed agreements for better working conditions. In March National Police officers participated in a 3-day national strike to protest low pay rates, unsafe working conditions, and low housing allowances.

In June in Bamako, bus drivers attacked the police following the death of a bus driver; the drivers agreed to use union funds to pay for repairs to traffic lights and other public facilities damaged in the riots (see Section 1.c.).

The International Labor Organization (ILO) requested that the Government amend Section 229 of the 1992 Labor Code to restrict the Minister of Labor's authority to impose arbitration to end strikes that were liable to cause an acute national crisis. The Government noted in its report to the ILO that it was undertaking an in-depth, tripartite discussion on Section 229 to make the legislation fully consistent with the principles of freedom of association; at year's end, the review was ongoing.

Unions are free to associate with and participate in international bodies. The union representing salaried employees regularly participated in programs sponsored by French labor unions. Other unions have participated in various programs sponsored by international unions.

b. The Right to Organize and Bargain Collectively

The growth of independent unions has led to more direct bargaining between these unions and their employers. However, wages and salaries for workers belonging to the UNTM unions are set by tripartite negotiations between the Ministry of Labor, labor unions, and representatives of the federation of employers of the sector to which the wages apply. Civil service salary levels are pegged nationally to an index established by the Government. These negotiations usually set the pattern for unions outside the UNTM. The Ministry of Labor acts as a mediator in labor disputes.

Neither the Constitution nor the Labor Code addresses the question of antiunion discrimination, but there have been no reports or complaints of antiunion behavior or activities. If the parties cannot come to agreement, the dispute goes to the Labor Court for decision.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor; however, there were reports that such practices occurred.

The law prohibits the contractual use of persons without their consent; penalties include a fine and hard labor. The penalties increase significantly if a minor, defined as someone under 15 years of age, is involved.

There were some reports that the de facto slavery long reported to have existed in northern salt mining communities has evolved to wage labor in recent years; however, reliable current evidence about labor conditions in those remote facilities remained unavailable. Hereditary servitude relationships link different ethnic groups, particularly in the north. For example, there is a hereditary service relationship between members of the Bellah ethnic group and other Tuareg populations.

The law prohibits forced and bonded labor by children; however, organized traffickers sold Malian children into forced labor in Cote d'Ivoire (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code has specific policies that pertain to child labor; however, these regulations often are ignored in practice. The Labor Code permits children between the ages of 12 and 14 to work up to 2 hours per day during school vacations with parental approval. Children between the ages of 14 and 16 may work up to 4 1/2 hours per day with the permission of a labor inspector, but not during nights, holidays, or Sundays. Children between the ages of 16 and 18 may work in jobs that physically are not demanding; boys may work up to 8 hours per day and girls up to 6 hours per day.

The Labor Code has no effect on the vast number of children who work in rural areas, helping with family farms and herds, and on those who work in the informal sector, for example, as street vendors. These children are not protected by laws against unjust compensation, excessive hours, or capricious discharge.

Child labor predominates in the agricultural sector and, to a lesser degree, in craft and trade apprenticeships, and cottage industries. Apprenticeship, often in a family member's or a parent's vocation, begins at an early age, especially for children unable to attend school.

The authorities enforce the Labor Code provisions through the use of labor inspectors from the Ministry of Employment, Public Service, and Labor who conduct surprise inspections and complaint-based inspections; however, resource limitations restricted the frequency and effectiveness of oversight by the Labor Inspection Service, and the Service operated only in the modern sector.

The Programme National de Lutte contre le Travail des Enfants au Mali, led by the International Program for the Elimination of Child Labor (IPEC)-Mali, was responsible for investigating abusive forms of child labor. IPEC relied on labor inspectors appointed by the Government in Bamako and in regional offices in the country. IPEC also was assisted by NGO's combating child labor and government regional offices in charge of the promotion of women and children. Government resources include inspectors, NGO's, and IPEC funding. There was no predetermined number of inspections per year; however, investigations were held when information was provided by NGO's or the media that there was an instance of abusive child labor.

The law prohibits forced or bonded child labor; however, children were sold into forced labor abroad by organized traffickers, and apprenticeship begins at an early age (see Section 6.f.). There were reports that children were kidnaped, sold into de-facto slavery, and made to work on coffee and cocoa plantations in Cote d'Ivoire. Some children were sold into forced labor by their parents; reportedly the children were beaten if they tried to escape. In August the Government introduced travel passes for children to try to prevent their being taken abroad to work illegally; however, the measures have been criticized for leading to the arrest of innocent travelers.

e. Acceptable Conditions of Work

The Labor Code specifies conditions of employment, including hours, wages, and social security; however, in practice many employers either ignore or do not comply completely with the regulations. The national minimum wage rate, set in 1994, is approximately \$40 (29,000 CFA francs) per month. Workers must be paid overtime for additional hours. The minimum wage does not provide a decent standard of living for a worker and family. The minimum wage is supplemented by a required package of benefits, including social security and health care. While this total package could provide a minimum standard of living for one person, in practice most wage earners support large extended families and must supplement their income by subsistence farming or work in the informal sector.

The normal legal workweek is 40 hours (45 hours for agricultural employees), with a requirement for at least one 24-hour rest period. The Social Security Code provides a broad range of legal protection against hazards in the workplace, and workers' groups have brought pressure on employers to respect parts of the regulations, particularly those affecting personal hygiene. However, with high unemployment, workers often are reluctant to report violations of occupational safety regulations. The Labor Inspection Service of the Ministry of Labor oversees these standards but limits enforcement to the modern, formal sector. It was not effective in investigating and enforcing workers' safety and was funded insufficiently for its responsibilities. Workers have the right to remove themselves from dangerous work situations and request an investigation by the Social Security Department, which is responsible for recommending remedial action where deemed necessary.

The law protects legal and illegal foreign workers. Persons illegally in the country are not allowed to work; however, if they are given a job, they have the same protections as legal workers.

f. Trafficking in Persons

On June 29, Parliament approved a law that would make child trafficking punishable by 5 to 20 years in prison. There also are laws that prohibit the contractual use of persons without their consent; however, children are trafficked for forced labor in Cote d'Ivoire. An estimated 15,000 Malian children between the ages of 9 and 12 have been sold into forced labor on cotton, coffee, and cocoa farms in northern Cote d'Ivoire over the past few years; an even greater number have been pressed into domestic service. Organized networks of traffickers deceive the children and their families into believing that they will be given paid jobs outside of their villages. They then are sold to plantation owners for sums ranging between \$20 and \$40 (14,500 and 29,000 CFA francs). The children reportedly are forced to work 12 hours per day without pay, and often they are abused physically.

Penalties for violations of the law prohibiting forced contractual labor include a fine or hard labor. Penalties increase if a minor is involved; however, these penalties were not applied during the year. The problem of trafficking is handled by both the Ministry for the Promotion of Women, Children, and the Family and the Ministry of Employment, Public Services, and Labor. Both ministries in coordination with the Ministry of Foreign Affairs and the Ministry of Territorial Administration have developed a program to identify and rehabilitate victims, educate the population, and strengthen the legal system with regard to the movement and trafficking of minors. Welcome centers have been set up in Mopti, Sikasso, and Bamako to assist child trafficking victims in returning to their families. During the year, the Ministry of Labor selected a coordinator, Almoustapha Toure, who specifically will handle child trafficking issues, as opposed to general child labor issues.

The Government took some steps to halt child trafficking and repatriate children to the country from Cote d'Ivoire; however, there was no estimate of the number of children in Cote d'Ivoire. During the year, more than 300 children were returned to their families from Cote d'Ivoire. This figure represents the number of children who were assisted at the Malian welcome centers; children who returned home without first going through a welcome center were not counted. In August 2000, the Government of Mali and the Government of Cote d'Ivoire signed a treaty to cooperate in combating trafficking. During the year, approximately 10 traffickers were arrested in Sikasso. Some of the traffickers were citizens, but others were from other countries in the region. At year's end, they were in detention awaiting trial.