

# MALI 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Mali is a constitutional democracy. President Ibrahim Boubacar Keita won reelection to a second five-year term on August 12 in national elections deemed to have met minimum acceptable standards by international observers despite some irregularities and limited violence. Parliamentary elections originally scheduled for October were delayed until at least June 2019 ostensibly to allow time to enact electoral reforms.

Civilian authorities did not always maintain effective control over the security forces.

Unlike in previous years the government, the Platform of Northern Militias (Platform), and the Coordination of Movements of Azawad (CMA) respected the ceasefire agreed to in the 2015 Algiers Accord for Peace and Reconciliation. Two terrorist organizations: al-Qaida coalition Jama'at Nasr al-Islam wa Muslimin (Support to Islam and Muslims, JNIM), and the Islamic State in the Greater Sahara (ISGS) are not parties to the peace process. JNIM carried out attacks on security forces, armed groups, UN peacekeepers, international forces, humanitarian actors, and civilian targets throughout northern and central Mali. ISGS carried out attacks on civilians, security forces, and CMA and Platform elements along and near Mali's border with Niger and Burkina Faso.

Human rights issues included reports of unlawful or arbitrary killings by both government and nonstate actors; forced disappearance by government forces; torture by government forces; harsh and life-threatening prison conditions; arbitrary detention by government forces; unlawful recruitment and use of child soldiers by nongovernmental armed groups, some of which received support from the government; criminal libel; interference with the right of peaceful assembly; violence against women and children which was rarely investigated; and trafficking in persons. Authorities and employers often disregarded workers' rights, and exploitative labor, including child labor, was common.

The government made little or no effort to investigate, prosecute, or punish officials who committed violations, whether in the security forces or elsewhere in the government, and impunity was a problem. The 2012 coup leader Amadou Sanogo, first arrested in 2013, remained under arrest awaiting trial. Sanogo's trial began in Sikasso in 2016, but the presiding judge accepted a defense motion to

delay the trial until 2017. At year's end, the case was pending at the Court of Appeals, awaiting results of a DNA analysis. Impunity for serious crimes committed in the North and Center of the country continued. A magistrate strike, which began on July 25 and ended on November 5, severely slowed prosecutions and extended the length of pretrial detentions.

Despite the 2015 peace accord, elements within the Platform--including the Imghad Tuareg and Allies Self-defense Group (GATIA), the Arab Movement for Azawad-Platform (MAA-PF), and the Coordination of Patriotic Resistance Forces and Movements (CMFPR)--and elements in the CMA--including the National Movement for the Liberation of the Azawad (MNLA), the High Council for the Unity of Azawad (HCUA), and the Arab Movement of Azawad (MAA)--committed serious human rights abuses, including summary executions, torture, and the recruitment and use of child soldiers. Extremist groups, including affiliates of the Islamic State in the Greater Sahel and al-Qaeda conglomerate JNIM kidnapped and killed civilians and military force members, including peacekeepers. The government, in collaboration with French military forces, conducted counterterrorism operations in northern and central Mali leading to the detention of extremists and armed group elements accused of committing crimes. Reports of abuses rarely led to investigations or prosecutions.

Accusations against Chadian peacekeepers from the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), who were accused of numerous human rights abuses in the Kidal Region, including killings, abductions, and arbitrary arrests in 2016, remained unresolved.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were several reports that the government or its agents committed arbitrary or unlawful killings (see section 1.g.).

Human Rights Watch (HRW) reported that on April 5, 14 Fulani men suspected of terrorism were killed by the Malian Armed Forces (FAMA). The FAMA issued a statement saying that 14 men had died while attempting to escape; however, witnesses believed that these men were executed by the FAMA. On May 19, a Malian battalion assigned to the G5 Sahel Joint Force summarily and arbitrarily

executed 12 civilians at the Boulikessi livestock market in an act of retaliation, according to a MINUSMA investigation.

Signatory armed groups and violent extremist groups committed numerous arbitrary killings related to internal conflict. Clashes between ISGS and a government and French Barkhane-supported MSA-GATIA coalition killed numerous civilians in the Menaka and Kidal regions. On July 15, 12 civilians were killed during clashes in Injagalane in the Menaka Region. The MSA-GATIA coalition reportedly received equipment and logistical support from the government and French Barkhane forces during this period.

Terrorist elements, including JNIM affiliates, launched frequent attacks, killing civilians as well as national and international security force members. For example, on June 29, a suicide bomber attacked the G5 Joint Force headquarters in Sevare, killing two Malian soldiers and one civilian. In the attack 11 soldiers from Burkina Faso, Mauritania, and Niger were wounded. Four suspects were arrested. The suspects remained in custody awaiting trial at year's end. JNIM claimed responsibility for the attack.

Attacks by bandits and Islamist extremist groups increasingly expanded from the traditional conflict zone in the North to the Mopti and Segou regions in the central part of the country. These attacks targeted government and international security force members.

There was limited progress in the prosecution of suspects, including coup leader Sanogo, in the 2012 disappearance, torture, and killing of 21 Red Berets, including former junta member Colonel Youssouf Traore. The case was initially brought to trial in 2016. Following a defense objection to the admissibility of DNA evidence, however, the trial remained suspended pending new DNA analysis.

## **b. Disappearance**

There were several reports of disappearances. For example, the MINUSMA Human Rights and Protection Division reported the forced disappearance of one man in the village of Dia, Tenenkou Circle, by security forces on April 28.

On June 15, three common graves believed to contain the remains of at least 25 men executed after their detention by soldiers were discovered in Nantaka and Kombaga in the Mopti Region. The Ministry of Defense and Veterans Affairs released a statement recognizing the existence of the graves and the involvement of

military personnel in the events. Foreign governments and several human rights organizations, including the National Commission for Human Rights (CNDH) and the Malian Association for Human Rights (AMDH), called for impartial and independent investigations. As of November investigations were ongoing.

Since February 2018 HRW has documented the alleged summary execution in the central region of at least 66 suspected members of Islamist armed groups, a dozen cases of enforced disappearances, and numerous cases of ill treatment and torture in which the detainees were last seen in the custody of security forces. The Ministry of Defense publicly announced plans to investigate these incidents and instructed the Mopti military prosecutor to investigate the Boulikessi, Nantaka, and Kombaga cases. As of November investigations were ongoing.

Human rights observers were unable to verify the whereabouts of dozens of prisoners purportedly detained in connection with the northern conflict due to possible unreported deaths in custody, alleged surreptitious releases, and suspected clandestine transfer of prisoners to the government's intelligence service, the General Directorate of State Security (DGSE). Human rights organizations estimated the DGSE held 60 unacknowledged detainees.

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

The constitution and statutory law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, but there were reports that soldiers employed them against individuals with suspected links to extremist groups including Ansar al-Dine, al-Murabitoun, and the Macina Liberation Front (see section 1.g.). There were reports that Islamist groups perpetrated sexual violence.

According to HRW, on March 8 and 12, armed forces members tortured five men they suspected of supporting Islamist armed groups. The detainees were allegedly hogtied, beaten, lashed with belts, burned, and repeatedly threatened with death. Physical wounds were present on the detainees' bodies.

Also according to HRW, on March 12, FAMA arrested two men ages 57 and 42, whom they accused of supporting armed Islamists. The captors allegedly threatened to kill the elders, severely beat them, and threatened to behead them.

### **Prison and Detention Center Conditions**

Prison conditions were harsh and life threatening due to overcrowding and inadequate sanitary conditions and medical care. The government took steps to improve staff training. By year's end a nine billion CFA (\$16.5 million) construction project for a new prison in Kenioroba, 30 miles south of Bamako was ongoing. The prison was designed to hold 2,500 inmates and to meet international standards for detainees' human rights.

Physical Conditions: As of July the Bamako Central Prison held 2,217 prisoners in a facility designed to hold 400. Detainees were separated by gender. Detention conditions were better in women's prisons than in those for men. Authorities held pretrial detainees with convicted prisoners. Authorities detained 155 persons arrested on charges related to terrorism in the high-security division of Bamako Central Prison and in Koulikoro. The magistrate strike, which began July 25 and ended on November 5, made prison conditions worse by increasing the numbers of pretrial detainees and preventing the release of prisoners who completed their sentences. Gendarmerie and police detention centers were at maximum capacity at year's end. Authorities may hold arrested individuals for up to 72 hours in police stations, where there was no separate holding area for men, women, or children.

As of July, 11 prisoners and detainees had died in custody. The CNDH, an independent entity within the Ministry of Justice, attributed the deaths to unhealthy prison conditions. Three died from heart attacks; the remainder died from malaria, HIV/AIDS, and dehydration. Inadequate security mechanisms and a general lack of resources limited the ability of authorities to maintain control of prisons.

Prison food, when provided, was insufficient in both quality and quantity, and medical facilities were inadequate. Lack of sanitation continued to pose the most significant threat to prisoners' health. Buckets served as toilets. Not all prisons had access to potable water. Ventilation, lighting, and temperature were comparable with many poor urban homes.

Administration: There were no prison ombudsmen. Authorities, however, permitted prisoners and detainees to submit complaints, either directly or through the Office of the Ombudsman of the Republic, to judicial authorities without censorship to request investigation of credible allegations of inhuman conditions. Although prisoners made verbal complaints during prison inspections by the CNDH, prisoners filed no formal complaints due to illiteracy, lack of knowledge regarding complaint mechanisms, skepticism regarding the utility of making such complaints, and fear of retaliation. The CNDH, charged with visiting prisons and ensuring humane conditions, visited prisoners in Bamako Central Prison within

one week of request. The CNDH did not regularly visit prisons outside of Bamako, and its last visit to a military detention center occurred in 2012. The government's Directorate for National Penitentiary Administration investigated and monitored prison and detention center conditions. Detainees had reasonable access to visitors and could observe their religious practices.

Independent Monitoring: The government permitted visits by human rights monitors, and human rights organizations conducted visits during the year. The government required nongovernmental organizations (NGOs) and other monitors to submit a request to the prison director, who then forwarded it to the Ministry of Justice. The Malian Association for Human Rights visited prisons in Kati, Bamako, and other locations outside the North. Human rights observers with MINUSMA and the International Committee of the Red Cross (ICRC) regularly visited the centers holding CMA and Platform members. ICRC officials also visited prisons in Bamako, Kayes, Sikasso, Koulikoro, Gao, and Timbuktu.

#### **d. Arbitrary Arrest or Detention**

The constitution and statutory law generally prohibit arbitrary arrest and detention. Nevertheless, government security forces, Platform, CMA forces, and terrorist armed groups detained and arrested numerous individuals in connection with the ongoing conflict in the North and the Center, particularly in the wake of clashes between CMA, GATIA, and ISGS in Menaka and terrorist attacks in the Timbuktu, Mopti, and Segou regions. Security forces also arbitrarily arrested those suspected of supporting Islamist armed groups, primarily in the center of the country (see section 1.g.).

The law allows detainees to challenge the legal basis or arbitrary nature of their detention in court. Individuals are generally released promptly if they win the challenge, but the law does not provide for compensation or recourse against the government.

#### **Role of the Police and Security Apparatus**

Security forces include the National Police, the FAMA, the National Gendarmerie, National Guard, and the DGSE. FAMA, the National Gendarmerie, and the National Guard are administratively under the Ministry of Defense, although operational control of the National Guard and National Gendarmerie is shared with the Ministry of Internal Security and Civil Protection. Police officers have responsibility for law enforcement and maintaining order in urban areas, while

gendarmes have that responsibility in rural areas. The army occasionally performed domestic security operations in northern areas where police and gendarmes were absent. The National Guard has specialized border security units, which were largely ineffective. The responsibilities of the Ministry of Internal Security and Civil Protection include maintaining order during exceptional circumstances, such as national disasters or riots. The DGSE has authority to investigate any case and temporarily detain persons at the discretion of its director general. It usually did so only in terrorism and national security cases.

The National Police lacked resources and training. Corruption was a problem, and traffic police officers frequently arrested and released drivers in exchange for bribes.

MINUSMA's mandate includes ensuring security, protecting civilians, assisting the reestablishment of government authority, and the rebuilding of the security sector. The mission worked to expand its presence, including through longer-range patrols, in northern regions beyond key population centers, notably in areas where civilians were at risk. MINUSMA's mandate also includes providing specific protection for women and children affected by armed conflict and addressing the needs of victims of sexual and gender-based violence in armed conflict. MINUSMA's role extended to anticipating, preventing, mitigating, and resolving issues related to the northern conflict by monitoring violence, assisting in investigations, and reporting to the UN Security Council on abuses or violations of human rights or international humanitarian law committed in the country.

The French military counterterrorism operation Barkhane continued. The operation had a regional focus, undertaking counterterrorism activities in Mali, Chad, Burkina Faso, Mauritania, and Niger. Approximately 2,500 soldiers conducted counterterrorism operations in collaboration with FAMA in northern Mali.

Civilian authorities failed at times to maintain effective control over the security forces. Particularly in the Center, there were many reports of impunity involving security forces. Mechanisms to investigate and punish abuse and corruption by security forces generally were not effective.

A commission of inquiry established in 2014 by the Ministry of Defense investigated security force killings to determine whether they constituted violations of the military code of justice or of criminal law. The commission referred cases involving human rights abuse to the prosecutor general for criminal trial. By

year's end, however, the commission had completed no investigations into alleged human rights abuses committed by soldiers redeployed to the north.

### **Arrest Procedures and Treatment of Detainees**

The law requires judicial warrants for arrest. The law requires police officers to charge suspects or release them within 48 hours. While police usually secured warrants based on sufficient evidence, and a duly authorized official issued the warrant, this did not always occur. The law provides for the transfer of detainees from police stations to the prosecutor's office within 72 hours of arrest, but authorities sometimes held detainees longer in police stations. Authorities may grant detainees, who have limited rights of bail, conditional liberty, particularly for minor crimes and civil matters. Authorities occasionally released defendants on their own recognizance.

Detainees have the right to a lawyer of their choice or a state-provided lawyer if indigent. Nevertheless, a shortage of lawyers--particularly outside Bamako and Mopti--often prevented access to legal representation.

Arbitrary Arrest: On April 5, security forces arrested 14 Fulani men in Dioura by before shooting and killing them. The government described the incident as an alleged escape attempt, but a number of civil society and human rights groups, most notably Tabital Pulaaku, called the incident a summary execution. The detainees were held because security forces suspected them of supporting Islamist armed groups.

Following the August presidential election, the DGSE arrested two campaign workers for opposition candidate Soumaila Cisse, Paul Ismael Boro and Moussa Kimbiri. Both remained detained for well over the constitutionally mandated 72-hour limit before appearing before a prosecutor. After protest from the Cisse campaign and human rights groups, both were transferred to Gendarmerie Camp 1 in Bamako, where they remained for several days before being released.

Human rights organizations reported widespread allegations of arbitrary arrest and detention. In many cases gendarmes detained suspects on DGSE orders and then transferred them for questioning to the DGSE, which generally held suspects for hours or days. The transfer process itself, however, sometimes took more than a week, during which time security services did not inform detainees of the charges against them. Authorities did not provide released detainees transport back to the location of their arrest, a trip that often required several days of travel. These

detentions often occurred in the wake of attacks by bandits or terrorists and targeted members of the ethnic group suspected of carrying out the raids.

Pretrial Detention: The law provides for trial for charged detainees within three months for misdemeanors and within one year for felonies, but lengthy pretrial detention was a problem. Judicial inefficiency, the large number of detainees, corruption, and staff shortages contributed to the problem. Individuals sometimes remained in prison for several years before their cases came to trial. Approximately 80 percent of inmates awaited trial.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, but the executive branch continued to exert influence over the judicial system. Corruption and limited resources affected the fairness of trials. Bribery and influence peddling were widespread in the courts, according to domestic human rights groups.

There were problems enforcing court orders. Sometimes judges were absent from their assigned areas for months at a time. Village chiefs and justices of the peace appointed by the government decided the majority of disputes in rural areas. Justices of the peace had investigative, prosecutorial, and judicial functions. These traditional systems did not provide the same rights as civil and criminal courts.

### **Trial Procedures**

The constitution provides for the right to a fair trial, and the judiciary generally enforced this right. Nevertheless, proceedings often were delayed, and some defendants waited years for their trials to begin. The law presumes defendants are innocent and have the right to prompt and detailed information on the charges against them, with free interpretation as necessary from the moment charged through all appeals. Except in the case of minors and sensitive family cases, trials generally were public.

Defendants have the right to communicate with an attorney of their choice (or to have one provided at public expense in felony cases and those involving minors). When a court declares a defendant indigent, it provides an attorney at public expense and the court waives all fees. Administrative backlogs and an insufficient number of lawyers, particularly in rural areas, often prevented prompt access. Defendants and their attorneys have the right to adequate time and facilities to prepare a defense, access government-held evidence, confront witnesses, and

present one's own witnesses and evidence. The government generally respected these rights. Defendants may not be compelled to testify against themselves or confess guilt and may appeal decisions to the Appellate Court and the Supreme Court. The law extends these rights to all citizens.

### **Political Prisoners and Detainees**

There were reports of political prisoners or detainees.

According to the National Directorate for Penitentiary Administration, as of July authorities had detained 155 persons in connection with the conflict in the northern and central parts of the country. Some of those detained were believed to be political prisoners. The government typically detained conflict-related prisoners in higher-security facilities within prisons and provided them the same protection as other prisoners. International human rights and humanitarian organizations had access to most of these centers, but not to detainees held in facilities operated by the DGSE.

### **Civil Judicial Procedures and Remedies**

Individuals and organizations may seek civil remedies for human rights violations. They may appeal their cases to the Economic Community of West African States Court of Justice and the African Court on Human and Peoples' Rights. In cases of traditional slavery, there were reports that civil court orders were sometimes difficult to enforce.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and statutory law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

### **g. Abuses in Internal Conflict**

The military, formerly separatist forces including the MNLA, HCUA, and MAA; northern militias receiving support from the government including MSA-GATIA; and extremist organizations including ISGS, JNIM, the Macina Liberation Front, and al-Murabitoun, committed serious human rights violations and abuses in the northern and central parts of the country. These included arbitrary killings, abuse, and disappearances. Most human rights violations committed by the military

targeted Fulani, Tuareg, and Arab individuals and were in reprisal for attacks attributed to armed groups associated with those ethnicities. Jihadist groups, the CMA alliance of the MNLA, HCUA, and MAA, and militias in the Platform, such as GATIA, held hostages. Some armed groups in the Platform, including GATIA, used child soldiers.

Government and French troops targeted terrorist organizations--including al-Qaida in the Islamic Maghreb, Ansar al-Dine, MLF, al-Murabitoun, JNIM, and ISGS--that were not party to the peace talks or resulting accord. These terrorist organizations maintained links to armed groups participating in the peace process.

Ethnic Fulani in the central Mopti and Segou regions reported abuse by government forces. According to HRW, seven Fulani men arrested by the Army in Sokolo while celebrating a baptism ceremony February 21 were declared by the Ministry of Defense as killed in battle against Malian forces on February 27. Additionally, HRW reported that according to eyewitnesses, the bodies of six Fulani men previously arrested in Dogo by the Army were discovered in a common grave on March 22. HRW also documented several cases of torture or severe mistreatment of detainees during the year. Most military abuses that targeted Fulani, Tuareg, and Arab persons were in reprisal for attacks attributed to armed groups associated with those ethnicities.

The government lacked sufficient resources to pursue and investigate cases in the North.

Killings: The military, former rebel groups, northern militias whose interests aligned with the government, and terrorist organizations killed persons throughout the country, but primarily in the northern and central regions.

Unidentified individuals or groups were responsible for many attacks. For example, on July 7, unidentified armed individuals killed a trader in the local market of Wami near the town of Hombori in the Mopti region.

Intercommunal violence related to disputes over transhumance (seasonal migration) and cattle grazing occurred among Dogon, Bambara, and Fulani in the Mopti Region, Bambara and Fulani in the Segou Region, and between various Tuareg and Arab groups in the regions of Gao, Timbuktu, and Kidal (see section 6).

On July 17, the office of the UN High Commissioner for Human Rights issued a statement expressing concern about intercommunal violence in the Mopti Region, mainly between pastoralist Fulani and agriculturalist Dogon ethnic groups. Intercommunal violence resulted in at least 289 civilian deaths since the beginning of the year.

Numerous attacks on MINUSMA peacekeepers resulted in deaths and injuries. On October 27, two Burkinabe and two Togolese peacekeepers were killed in two coordinated attacks in Ber and Konna, in the northern Timbuktu and central Mopti regions, respectively. JNIM claimed responsibility for the attack.

Abductions: The Colombian Roman Catholic missionary, Cecilia Narvaez Argoti, captured in February 2017, in Koutiala in southern Mali, remained in captivity at year's end. On May 8, the prefect of Teninkou, Makan Doumbia, was kidnapped with his driver by JNIM in the Mopti region.

Physical Abuse, Punishment, and Torture: Between March 8 and 12, following military operations under Operation Dambe, five men arrested in the Mopti Region reported to HRW that they were mistreated, tortured, and physically abused by the army. HRW reported that wounds and scars were visible on several parts of their bodies.

Child Soldiers: There was no evidence of the government conscripting or voluntarily accepting any child soldiers into its armed forces. Nevertheless, armed militias, including some that received support from and collaborated with the government, most notably GATIA, recruited and used child soldiers.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

Other Conflict-related Abuse: Attacks on international organizations and peacekeepers occurred.

A series of lethal attacks targeted Malian, French, and international forces in central and northern Mali between June 29 and July 1. The attacks resulted in at least 14 fatalities, including seven civilians; and approximately 40 wounded, including at least 31 civilians--women and children among them. The attacks were claimed by al-Qaida affiliate JNIM, citing a message to "certain G5 Sahel countries and France's Macron."

Since 2013, when MINUSMA's mission began, more than 100 MINUSMA personnel have been killed.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of speech and press, but the government occasionally restricted those rights.

Freedom of Expression: The government restricted freedom of expression and information, particularly during the presidential election period. A radio station that hosts an opposition talk show was abruptly closed. The government claimed security reasons for closing the station. Internet interruptions also occurred during the presidential election period.

Press and Media Freedom: Malian law imposes fines and prison sentences for defamation. It also criminalizes offenses such as undermining state security, demoralizing the armed forces, offending the head of state, sedition, and consorting with the enemy. On August 1, Bamako Governor Colonel Deberekoua Soara issued a decree that ordered radio station 98.1 Renouveau FM to cease all operations following a July 31 broadcast of controversial radio announcer Yousouf Mohamed Bathily's (a.k.a. Ras Bath) *Cartes Sur Table* (Cards on the Table) radio program. According to the decree, Bath's statements during the broadcast "incited revolt and hatred." On August 10, the high authority regulating communications ordered the reopening of the radio but prohibited the show Cards on the Table.

Violence and Harassment: Renouveau TV and Radio directors Antoine Solange Dembele and Djibril Sacko stated that on the morning of August 2, two armed police officers arrived at Renouveau FM and posted a closure notification on the door. Shortly thereafter, Dembele recounted, a "truck of armed police, carrying tear gas" arrived to prevent anyone from entering the building.

Journalists had difficulty obtaining military information deemed sensitive by the government and often were unable to gain access to northern locations.

Financial considerations also skewed press coverage. Most media outlets had limited resources. Journalists' salaries were extremely low, and many outlets could not pay the transportation costs for their journalists to attend media events. Journalists often asked event organizers to pay their transportation costs, and the

terms “transportation money” and “per diem” became euphemisms for a pay-for-coverage system, with better-financed organizations often receiving better press coverage.

## **Internet Freedom**

Digital rights NGO Internet without Borders condemned the blocking of access to social media and published on August 1 a detailed analysis conducted by the Open Observatory of Network Interference, which demonstrated that, beginning July 29, “access to certain platforms and websites,”--including Twitter and WhatsApp, were blocked by Orange Mali, the country’s primary mobile carrier. Embassy staff, foreign diplomats, the public, and media sources reported experiencing disrupted internet access and limited transmission on social media platforms such as Facebook, WhatsApp, and Twitter from July 29 to more than one week after the second round of the election on August 12. Internet access was restored following the presidential election.

There were no credible reports the government monitored private online communications without appropriate legal authority. There were numerous internet cafes in Bamako, but home internet access remained limited due to the expense. Outside Bamako, access to the internet was very limited. According to the International Telecommunication Union, 12.7 percent of residents used the internet in 2017.

## **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom and cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

#### **Freedom of Peaceful Assembly**

The constitution and law provide for freedom of assembly, but the government did not always respect this. Security forces used tear gas to break up a June 2 march led by leading opposition politicians and activists. The governor of Bamako used State of Emergency powers, in effect since 2015, to deny the organizers’ formal request to hold the march. March organizers held the march despite this denial. More than 30 protesters, including presidential candidates, were injured during the violence. A reported 16 protesters were admitted to Hospital Gabriel Toure, with unconfirmed reports of two critically injured, of whom one died from his wounds

on June 3. The government claimed three security force members also suffered injuries. The government denied that live ammunition was used and defended the actions of the security forces. The political opposition condemned the violence and called for another march on June 8, which the government permitted without restrictions. The June 8 march occurred peacefully.

### **Freedom of Association**

The constitution provides for freedom of association, although the law prohibits associations deemed immoral. The government generally respected freedom of association except for members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing humanitarian assistance, including some protection services, to internally displaced persons (IDPs), refugees, asylum seekers, and other persons of concern. Failure to uphold the Peace Accords and security restrictions affected the delivery of humanitarian assistance.

In-country Movement: While in-country movement was not formally restricted, the army established checkpoints to maintain security, and the unstable security situation limited freedom of movement. The populations of Gao, Kidal, Timbuktu, and parts of Mopti feared leaving the cities for security reasons, including the threat from roadside bombs (see section 1.g.). Conditions at the beginning of the year encouraged some refugees and IDPs to return to their homes in the North, but subsequent incidents of insecurity slowed the rate of returns. The government facilitated travel to the North for IDPs who lacked the means to pay for their travel.

Police routinely stopped and checked citizens and foreigners to restrict the movement of contraband and verify vehicle registrations. The number of police checkpoints on roads entering Bamako and inside the city increased after a rise in extremist attacks across the country. Journalists often complained that the government, citing security concerns, did not allow them to move freely in the North during military operations.

### **Internally Displaced Persons (IDPs)**

The UN independent observer reported 61,404 internally displaced persons (IDPs) in Mali and 138,675 refugees in neighboring countries as of August. Humanitarian access in the northern regions generally improved following the June 2015 signing of the Peace Accord, although insecurity related to terrorism and banditry remained a challenge in much of the country.

The Ministry of Internal Security and Civil Protection registered IDPs, and the government assisted them. IDPs generally lived with relatives, friends, or in rented accommodations. Most IDPs resided in urban areas and had access to food, water, and other forms of assistance. As many as half of all displaced families lacked official identity documents needed to facilitate access to public services, including schools for children, although identification was not required for humanitarian assistance. Aid groups provided humanitarian assistance to IDPs residing in the South and North as access permitted.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. A national committee in charge of refugees operated with assistance from UNHCR. According to UNHCR, the International Organization for Migration, and the government, by July 31, there were 24,368 registered refugees and 601 asylum seekers residing in the country--the majority of whom were Afro-Mauritanian refugees expelled from Mauritania in 1989--and their children. At a meeting between UNHCR and ministers from the Economic Community of West African States, the government committed itself to assisting all Mauritanian refugees who wished to integrate locally with a declaration of intention to facilitate their naturalization. In 2015 the government issued birth certificates to nearly 8,000 refugee children born in the country as part of its commitment to facilitate local integration for Afro-Mauritanian refugees, allowing them to access public services,

sign employment contracts, buy and sell land, set up companies, and borrow from banks.

As of August there were 138,675 Malian refugees registered in neighboring Burkina Faso, Mauritania, and Niger. New refugee arrivals continued to increase throughout the year due to the conflict and violence in Mali. Despite security challenges, the government reported 60,373 Malian refugees had returned to Mali from neighboring countries as of August.

Temporary Protection: The government's Office of International Migration is responsible for providing temporary protection to individuals who may not qualify as refugees. The National Commission for Refugees adjudicates refugee or asylum claims and provides temporary protection pending a decision on whether to grant asylum.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, and citizens exercised that right.

#### **Elections and Political Participation**

Recent Elections: In 2018 President Ibrahim Boubacar Keita (IBK) won the presidential election, deemed to have met minimum acceptable standards by international observers despite some irregularities and limited violence. One woman was among the 24 candidates who participated in the first round of elections, which were followed by a run-off election between the top two candidates.

The electoral campaign was strongly affected by security conditions in the central and northern regions. Restricted freedom of movement, logistical challenges, and financial limitations prevented many opposition candidates from campaigning in much of the Center and North, while government officials continued to travel to and administer programs in those areas.

Public media coverage of all candidates was generally equal and met standards outlined by the National Committee for Equal Access to State Media. The state media, however, favored the incumbent IBK by covering his actions as a

candidate, as president, and of the government, and did not cover opposition candidates.

Security incidents and inaccessibility (mostly due to roads washed out after heavy rains) affected 490 polling stations, 2.1 percent of the total, during the runoff vote, according to an August 12 statement from Minister of Security and Civil Protection General Salif Traore. This was down from 869 polling stations or 3.77 percent of all stations that were affected in the first round of voting July 29. Of the 490 closed polling stations nationwide, 440 were in Mopti Region, according to Traore. He reported that 100 of the 440 closed stations in Mopti were unable to open due to lack of accessibility. Voter turnout was 43 percent for the first round of elections, and 34.5 percent for round two.

Legislative elections, originally scheduled to be held in October, were delayed until at least June 2019. A six-month extension of the current deputies mandate was instituted by the government.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. Cultural factors, however, limited women's political participation in formal and informal roles. A law passed in November 2015 requires that at least 30 percent of the slots on party election lists be reserved for female candidates and that 30 percent of high-level government appointees be women. The law was fully implemented in President Keita's first cabinet of his second term, in which 11 of 32 ministers were women. There were only 13 women in the 147-member National Assembly. There were four women on the 33-member Supreme Court and two women on the nine-member Constitutional Court, including the head of the court.

The National Assembly had at least 16 members from historically marginalized pastoralist and nomadic ethnic minorities representing the eastern and northern regions of Gao, Timbuktu, and Kidal. The prime minister's cabinet included pastoral and nomadic ethnic minority members.

Four members of the National Assembly were members of northern armed groups, including two Tuaregs from Kidal associated with the HCUA, one Tuareg from Kidal associated with GATIA, and one member from Gao associated with the MAA. National Assembly members previously allied with Ansar al-Dine ended their association with the group following the French intervention in 2013.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: Corruption in all sectors of the administration was widespread. Authorities did not hold police accountable for corruption. Officials, police, and gendarmes frequently extorted bribes. There were reports of uniformed police or individuals dressed as police directing stopped motorists to drive to dark and isolated locations where they robbed the victims.

In April the general auditor of Mali released its 2016 and 2017 reports on government waste, fraud, and abuse. The prime minister's financial directorate, the national treasury, and the Mopti and Segou regional budget agencies were among the agencies reported to have lost 23.28 billion CFA (more than 40 million dollars) in Malian taxpayers' money in 2016 and 2017.

Financial Disclosure: The constitution requires the president, prime minister, and other cabinet members to submit annually a financial statement and written declaration of their net worth to the Supreme Court. The Court of Accounts, a section within the Supreme Court, is responsible for monitoring and verifying financial disclosures. There are no sanctions for noncompliance. The Court of Accounts requires officials to identify all their assets and liabilities when they start and complete their terms and provide yearly updates throughout their tenure. Officials are not required to submit disclosures for their spouses or children. The agency responsible for receiving financial disclosures was not operational by year's end, and few officials had filed. In September President Keita submitted his annual financial statement and written declaration of net worth to the Supreme Court. Although the constitution calls for financial filings to be made public, this did not occur.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The CNDH is an independent institution funded by the Ministry of Justice. The government continued to provide the commission with a headquarters and small staff. Other human rights organizations criticized the CNDH as ineffective and lacking autonomy. They stated the Ministry of Justice had too much control over the CNDH budget and the commission's large membership, which included several state representatives, impaired its ability to produce honest critiques of the government.

The commission of inquiry established by the National Assembly in 2014 to investigate violence between the government and armed groups in Kidal had not released a report on its findings by year's end.

The Ministry of Defense established at least three commissions of inquiry in 2014 to investigate forced disappearances perpetrated by the military in 2012. None of the commissions had released any public reports by year's end.

The Truth, Justice, and Reconciliation Commission, created in 2015 to accept evidence, hold hearings, and recommend transitional justice measures for crimes and human rights violations stemming from the 2012 crisis, had not initiated any investigations by year's end.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law criminalizes rape and provides a penalty of five to 20 years' imprisonment for offenders, but the government did not enforce the law effectively. Rape was a widespread problem. Authorities prosecuted only a small percentage of rape cases since victims seldom reported rapes due to societal pressure, particularly because attackers were frequently close relatives, and fear of retaliation. No law specifically prohibits spousal rape, but law enforcement officials stated criminal laws against rape apply to spousal rape. Police and judicial authorities were willing to pursue rape cases but stopped if parties reached an agreement prior to trial.

Domestic violence against women, including spousal abuse, was prevalent. Most cases went unreported. On December 28, Fanta Sekou Fofana was beaten and killed by her fiance. By year's end, investigations were ongoing in the case, and the fiance remained in custody. Spousal abuse is a crime, but the law does not

specifically prohibit domestic violence. Assault is punishable by prison terms of one to five years and fines of up to 500,000 CFA francs (\$919) or, if premeditated, up to 10 years' imprisonment. Police were reluctant to intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands because they feared husbands would interpret such allegations as grounds for divorce, were unable to support themselves financially, sought to avoid social stigma, or feared retaliation or further ostracism. The governmental Planning and Statistics Unit, established to track prosecutions, did not produce reliable statistics.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is legal in the country and, except in certain northern areas, all religious and ethnic groups practiced it widely, particularly in rural areas. Although FGM/C is legal, authorities prohibited the practice in government-funded health centers.

Parents generally had FGM/C performed on girls between the ages of six months and nine years. The most recent comprehensive FGM/C survey, conducted by UNICEF in 2010, indicated 89 percent of girls and women between ages 15 and 49 were excised, and 74 percent of girls and women in the same age group had at least one daughter who was excised. Government information campaigns regarding the dangers of FGM/C reached citizens throughout the country where security allowed, and human rights organizations reported decreased incidence of FGM/C among children of educated parents.

For more information, see Appendix C.

Sexual Harassment: The law does not prohibit sexual harassment, which routinely occurred, including in schools, without any government efforts to prevent it. In June a group of three to five aggressors harassed and raped a girl in the Cercle (county equivalent) of Kati. The case was under investigation by year's end. Some of the assailants remained in custody, while others fled and were not yet recaptured.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law does not provide the same legal status and rights for women as for men, particularly concerning divorce and inheritance. Women are legally obligated to obey their husbands and are particularly vulnerable in cases of divorce, child custody, and inheritance. Women had very limited access to legal

services due to their lack of education and information as well as the prohibitive cost. The government effectively enforced the law.

While the law provides for equal property rights, traditional practices and ignorance of the law prevented women from taking full advantage of their rights. The marriage contract must specify if the couple wishes to share estate rights. If marriage certificates of Muslim couples do not specify the type of marriage, judges presume the marriage to be polygynous.

Women experienced economic discrimination due to social norms that favored men, and their access to education and employment was limited.

The Ministry for the Promotion of Women, the Family, and Children is responsible for ensuring the legal rights of women.

## **Children**

Birth Registration: Citizenship is derived from either parent or by birth within the country, and the law requires registration within 30 days of birth. Girls were less likely to be registered.

The government did not register all births immediately, particularly in rural areas. According to UNICEF, the government registered 81 percent of births in 2014. The government conducted an administrative census in 2014 to collect biometric data and assign a unique identifying number to every citizen. The process allowed the registration of children not registered at birth, although the number of new birth certificates assigned was unknown. Several local NGOs worked with foreign partners during the year to register children at birth and to educate parents about the benefits of registration. In 2015 the government approved the issuance of birth certificates for 7,807 children born in the country to Afro-Mauritanian refugees as part of the government's commitment to facilitate their local integration.

Education: The constitution provides for tuition-free universal education, and the law provides for compulsory schooling from ages six through 15. Nevertheless, many children did not attend school. Parents often had to pay their children's school fees as well as provide their uniforms and supplies. Other factors affecting school enrollment included distance to the nearest school, lack of transportation, shortages of teachers and instructional materials, and lack of school feeding programs. Girls' enrollment was lower than that of boys at all levels due to

poverty, cultural preference to educate boys, early marriage of girls, and sexual harassment of girls.

The conflict resulted in the closure of schools in the regions of Gao, Kidal, Timbuktu, Mopti, and Segou, and many schools were damaged or destroyed because rebels sometimes used them as bases of operations. Jihadist groups threatened teachers and communities causing, as of March, the closure of 657 schools during the 2017-18 school year, up from 507 schools in the same period in 2016-17, according to UN independent observer Alioune Tine.

Child Abuse: Comprehensive government statistics on child abuse did not exist, but the problem was widespread. Citizens typically did not report child abuse, according to UNICEF. Police and the social services department in the Ministry of Solidarity and Humanitarian Action investigated and intervened in some reported cases of child abuse or neglect, but the government provided few services for such children.

Early and Forced Marriage: The minimum age to marry without parental consent is 18 for girls and 21 for boys. A 16-year-old girl may marry with parental consent if a civil judge approves. Authorities did not effectively enforce the law, particularly in rural areas, and underage marriage was a problem throughout the country. According to 2017 data from the UN Population Fund, 52 percent of women were married by age 18 and 17 percent before 15.

In some regions of the country, especially Kayes and Koulikoro, girls married as young as 10. It was common practice for a 14-year-old girl to marry a man twice her age. According to local human rights organizations, judicial officials frequently accepted false birth certificates or other documents claiming girls younger than age 15 were old enough to marry. NGOs implemented awareness campaigns aimed at abating child marriage.

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children, including commercial sexual exploitation. Penalties for the sexual exploitation of both adults and children are six months to three years in prison and a fine of between 20,000 and one million CFA francs (\$37 and \$1,838). Penalties for convicted child traffickers are five to 20 years in prison. Penalties for indecent assault, including child pornography, range from five to 20 years in prison. The country has a statutory rape law that defines 18 as the minimum age for consensual sex. The law, which was inconsistent with the legal minimum marriage age of 15 for girls, was not enforced. Sexual exploitation of children occurred. The Division

for Protection of Children and Morals of the National Police conducted sweeps of brothels to assure that individuals in prostitution were of legal age and arrested brothel owners found to be holding underage girls.

Child Soldiers: From April 2017 to October 2018, the National Directorate for the Promotion of Children and the Family registered 53 children associated with armed groups. In 2017, 29 were identified and 24 during the year. They were all assisted by the government and national and international NGOs. As of October, three children remained at the shelter centers in Bamako and Gao while all others were reunited with their families. Six of the children identified during the year were associated with jihadist groups operating in the Mopti Region. Two were identified in Kidal and four in Timbuktu.

Infanticide or Infanticide of Children with Disabilities: Some prostitutes and domestic workers practiced infanticide, mainly due to lack of access to and knowledge about contraception. Authorities prosecuted at least two infanticide cases during the year.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

There were fewer than 50 Jews, and there were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The constitution and law do not specifically protect the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or in the provision of other state services. There is no law mandating accessibility to public buildings. While persons with disabilities have access to basic health care, the

government did not place a priority on protecting the rights of persons with disabilities, and few resources were available. Many such individuals relied on begging.

Persons with mental disabilities faced social stigmatization and confinement in public institutions. For cases in which an investigative judge believed a criminal suspect had mental disabilities, the judge referred the individual to a doctor for mental evaluation. Based on the recommendation of the doctor, who sometimes lacked training in psychology, the court then either sent the suspect to a mental institution in Bamako or proceeded with a trial.

The Ministry of Solidarity and Humanitarian Action is responsible for protecting the rights of persons with disabilities. The ministry sponsored activities to promote income-earning opportunities for persons with disabilities and worked with NGOs, such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. Although the government was responsible for eight schools countrywide for deaf persons, it provided almost no resources or other support.

### **National/Racial/Ethnic Minorities**

Societal discrimination continued against black Tuaregs, often referred to as “Bellah.” Some Tuareg groups deprived black Tuaregs of basic civil liberties due to traditional slavery-like practices and hereditary servitude relationships.

There were continued reports of slave masters kidnapping the children of their Bellah slaves, who had no legal recourse. Slaveholders considered slaves and their children as property and reportedly took slave children to raise them elsewhere without permission from their parents. The antislavery organization Temedt organized workshops throughout the country to convince communities to abandon the practice of keeping slaves. The government took no action to establish punishment for practicing slavery.

Intercommunal violence led to frequent clashes between members of the Fulani ethnic group and, separately, members of the Bambara and Dogon communities. Self-defense groups representing these communities were reportedly involved in attacks.

For example, on September 7, in Koro, Mopti Region, attacks by Donzo hunters against Fulani village, Koumboko, resulted in 12 deaths. In early September

clashes between Dogon hunters and Fulani herders in Djenne resulted in at least 22 deaths.

According to MINUSMA, intercommunal conflict in Koro, Bandiagara, and Bankass Circles resulted in the forced displacement of at least 22,572 individuals as of July.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits association “for an immoral purpose.” There are no laws specifically prohibiting discrimination based on sexual orientation or gender identity.

NGOs reported LGBTI individuals experienced physical, psychological, and sexual violence, which society viewed as “corrective” punishment. Family members, neighbors, and groups of strangers in public places committed the majority of violent acts, and police frequently refused to intervene. Most LGBTI individuals isolated themselves and kept their sexual orientation or gender identity hidden. An NGO reported that LGBTI individuals frequently dropped out of school, left their places of employment, and did not seek medical treatment to hide their sexual identity and avoid social stigmatization.

There were no known LGBTI organizations in the country, although some NGOs had medical and support programs focusing specifically on men having sex with men.

### **HIV and AIDS Social Stigma**

Societal discrimination against persons with HIV/AIDS occurred. The government implemented campaigns to increase awareness of the condition and reduce discrimination against persons with HIV/AIDS.

### **Other Societal Violence or Discrimination**

Mob violence remains a problem. For example, in June a mob destroyed the town of Fana’s gendarmerie headquarters during a protest against the lack of security and the killing of a nine-year-old girl with albinism by a member of the community.

Discrimination continued against persons with albinism. Some traditional religious leaders perpetuated the widespread belief that such persons possessed special powers that others could extract by bringing a traditional spiritual leader the blood or head of one. In June a nine-year-old girl with albinism was kidnapped and beheaded in the town of Fana. As of November the assailant was in custody. The rights of persons with albinism organization run by prominent Malian singer Salif Keita noted that men often divorced their wives for giving birth to a child with albinism. Lack of understanding of the condition contributed to such persons' lack of access to sunblock, without which they were highly susceptible to skin cancer.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

Under the new labor law that came into force in June 2017, workers, except members of the armed forces, have the right to form and join independent unions, bargain collectively, and conduct strikes. There are restrictions imposed on the exercise of these rights. The law provides that workers must be employed in the same profession before they may form a union. A worker may remain a member of a trade union only for a year after leaving the relevant function or profession. Members responsible for the administration or management of a union must reside in the country and be free of any convictions that could suspend their right to vote in national elections. The process was cumbersome and time-consuming, and the government may deny trade union registration on arbitrary or ambiguous grounds.

The minister of labor and public service has the sole authority to decide which union is representative for sectorial collective bargaining and to approve sectorial collective agreements. Employers have the discretionary right to refuse to bargain with representatives of trade unions. The law allows all types of strikes and prohibits retribution against strikers. For strike action to be lawful, the parties to a dispute must exhaust the mandatory conciliation and arbitration procedures set out in the labor code. Regulations require civil servants and workers in state-owned enterprises to give two weeks' notice of a planned strike and to enter into mediation and negotiations with the employer and a third party, usually the Ministry of Labor and Public Service. The law does not allow workers in "essential services" sectors to strike, and the minister of labor can order compulsory arbitration for such workers. The law defines "essential services" as being services whose interruption would endanger the lives, personal safety, or health of persons, affect the normal operation of the national economy, or affect a

vital industrial sector. For example, the law requires striking police to maintain a minimum presence in headquarters and on the street. The government, however, has not identified a list of essential services. Participation in an illegal strike is punishable by harsh penalties, including dismissal and loss of other rights except wages and leave. Civil servants exercised the right to strike during the year.

The law prohibits antiunion discrimination and provides for reinstatement of workers fired for union activity. The government did not effectively enforce relevant laws. Penalties for violating antiunion discrimination provisions were not sufficient to deter violations. The Ministry of Labor and Public Service did not have adequate resources to conduct inspections or perform mediation. Administrative and judicial procedures were subject to lengthy delays and appeals.

Authorities did not consistently respect freedom of association and the right to collective bargaining, although workers generally exercised these rights. The government did not always respect unions' right to conduct their activities without interference. Although unions and worker organizations were independent of the government and political parties, they were closely aligned with various political parties or coalitions. The Ministry of Mines intervened to facilitate negotiations between labor and management over the closure of the Loulo gold mine. Officials have not renegotiated some collective agreements since 1956.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor; however, the practice of slavery is not criminalized. Forced labor occurred. The law prohibits the contractual use of persons without their consent, and penalties include fines and imprisonment with compulsory hard labor. Penalties can double if a person younger than age 15 is involved. Penalties were seldom enforced and therefore were not sufficient to deter violations. According to NGOs, the judiciary was reluctant to act in forced labor cases. The government made little effort during the year to prevent or eliminate forced labor, although it did allocate initial funding to its antitrafficking action plan. Following a 2014 national conference on the artisanal mining sector, the government established a commission that met twice monthly to develop measures to more effectively combat violations in the sector, including forced labor. The commission has conducted an inventory of mercury in artisanal gold mines, mapped artisanal gold mines in the auriferous regions of Kayes, Koulikoro, and Sikasso, and created a professional identification card for artisanal gold miners.

Most adult forced labor occurred in the agricultural sector, especially rice production, and in gold mining, domestic services, and in other sectors of the informal economy. Forced child labor occurred in the same sectors. Corrupt religious teachers forced boys into begging and other types of forced labor or service (see section 7.c.).

The salt mines of Taoudeni in the North subjected men and boys, primarily of Songhai ethnicity, to a longstanding practice of debt bondage. Employers subjected many black Tuaregs to forced labor and hereditary servitude, particularly in the eastern and northern regions of Gao, Timbuktu, and Kidal (see section 6).

See also the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The labor code was amended in 2017 to set the minimum employment age at 15. No child may work more than eight hours per day under any circumstance. The government's Hazardous Occupations List prohibits certain activities by children younger than age 18. Girls between ages 16 and 18 may not work more than six hours per day. The law applies to all children, including those who work in the informal economy and those who are self-employed.

Responsibility for enforcing child labor laws is shared between the Ministry for the Promotion of Children and Women through the National Committee to Monitor the Fight against Child Labor, the Ministry of Justice through different courts, the Ministry of Security through the Morals and Children's Brigade of the National Police, the National Social Security Institute through its health service, and the Ministry of Labor and Public Service through the Labor Inspectorate. Interagency coordinating mechanisms were ineffective, inefficient, and cumbersome. Authorities often ignored child labor laws or did not effectively enforce applicable laws. Resources, inspections, and remediation were not adequate, and the penalties for violations were not sufficient to deter violations.

Child labor, particularly in its worst forms, was a serious problem. Child labor was concentrated in the agricultural sector, especially rice and cotton production, domestic services, gold mining, forced begging organized by Quranic schools, and other sectors of the informal economy.

Approximately 25 percent of children between ages five and 14 were economically active, and employers subjected more than 40 percent of economically active children to the worst forms of child labor. Many were engaged in hazardous activities in agriculture. Armed groups used child soldiers in the North and the Center (see section 1.g). Child trafficking occurred. Employers used children, especially girls, for forced domestic labor. Employers forced Black Tuareg children to work as domestic and agricultural laborers.

Child labor in artisanal gold mining was a serious problem. According to the International Trade Union Confederation, at least 20,000 children worked under extremely harsh and hazardous conditions in artisanal gold mines. Many children also worked with mercury, a toxic substance used in separating gold from its ore. Following a summit on artisanal mining in 2014, the government launched a commission that met twice a month to develop measures to improve conditions in the sector and to mitigate violations, such as child labor.

An unknown number of primary school-age boys throughout the country, mostly younger than age 10, attended part-time Quranic schools funded by students and their parents. Some Quranic teachers (marabouts) often forced their students, known as “garibouts” or “talibes,” to beg for money on the streets or work as laborers in the agricultural sector; any money earned was usually returned to their teachers.

The Ministry of Labor and Public Service conducted few surprise or complaint-based inspections. Insufficient personnel, low salaries, and lack of other resources hampered enforcement in the informal sector. Prosecutors in Bamako had several pending investigations of potential abuse charges against marabouts who used children solely for economic purposes.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings](http://www.dol.gov/ilab/reports/child-labor/findings).

#### **d. Discrimination with Respect to Employment and Occupation**

The labor law prohibits discrimination in employment and occupation based on race, gender, religion, political opinion, nationality, disability, social status, HIV-positive status, and color. The government’s Labor Inspection Agency is responsible for investigating and preventing discrimination based on race, gender, religion, political opinion, nationality, or ethnicity, but the law was not effectively enforced. Penalties were insufficient to deter violations. Discrimination in

employment and occupation occurred with respect to gender, sexual orientation, disability, and ethnicity (see section 6). The government was the major formal sector employer and ostensibly paid women the same as men for similar work, but differences in job descriptions permitted pay inequality. There were cases where employers from southern ethnic groups discriminated against individuals from northern ethnic groups.

#### **e. Acceptable Conditions of Work**

The minimum wage is 40,000 CFA francs (\$71) per month, greater than the World Bank's international poverty level of \$1.90 per day. It did not apply to workers in the informal and subsistence sectors, which included the majority of workers. The government supplemented the minimum wage with a required package of benefits, including social security and health care. In January the government increased the salaries of public sector workers after coming to a collective bargaining agreement with the largest national workers' union, National Workers' Union of Mali. In August banks and insurance companies also increased their employees' salaries.

The legal workweek is 40 hours, except for the agricultural sector, where the legal workweek ranges from 42 to 48 hours, depending on the season. The law requires a weekly 24-hour rest period, and employers must pay workers overtime for additional hours. The law limits overtime to eight hours per week. The law applies to all workers, including migrants and domestics, but it was routinely ignored in the informal sector, which included an estimated 87 percent of workers.

The law provides for a broad range of occupational safety and health standards in the workplace. Workers have the right to remove themselves from work situations that endanger health or safety without jeopardy to their employment and to request an investigation by the Social Security Department, which is responsible for recommending remedial action where deemed necessary. Authorities, however, did not effectively protect employees in these situations. With high unemployment, workers often were reluctant to report violations of occupational safety regulations.

The Ministry of Labor and Public Service did not effectively enforce these standards, and the few inspectors it employed lacked the resources to conduct field investigations. Many employers did not comply with regulations regarding wages, hours, and social security benefits. The ministry conducted few inspections in the three northern regions where the government has suspended services since the 2012 occupation of those regions by armed groups and other organizations.

Penalties were insufficient to deter violations, and no government agencies provided information on violations or penalties. Labor inspectors made unannounced visits and inspections to work sites only after labor unions filed complaints.

Working conditions varied, but the worst conditions were in the private sector. In small, family-based agricultural endeavors, children worked for little or no remuneration. Employers paid some domestic workers as little as 7,500 CFA francs (\$14) per month. Violations of overtime laws were common for children working in cities and those working in artisanal gold mines or rice and cotton fields. Labor organizations reported employers used cyanide and mercury in gold mines, posing a public health risk to workers exposed to them. Inspectors lacked the resources to assemble credible data on dangerous workplaces.