



Mali

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Mali is a constitutional democracy, which 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 administratively flawed 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 and ADEMA-aligned parties. In August the National Assembly approved changes to the Constitution and approved changes to the electoral law. The process of amending the Constitution, the electoral law, and other texts began during a National Political Forum in January that involved political parties, civil society, and the Government. The Constitution provides for an independent judiciary; however, in practice the Government continues to exert influence on the judiciary.

Security forces are composed of the army, air force, Gendarmerie, the National Guard, and the police. 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. The Government completed the process of integrating elements of former Tuareg rebel forces into its armed forces in 1999.

Mali is a very poor country with a market-based economy. 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 is approximately \$255 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), contribute to poverty. Poor infrastructure, minimal foreign investment, administrative inefficiency, and corruption are also important factors in limiting economic growth.

The Government generally respected its citizens' human rights; however, problems remained in several areas. Security forces reportedly tortured and killed two suspects in custody. The Government did not release the results of an investigation into the incident by year's end. Prison conditions remained poor. Prolonged pretrial detention is sometimes 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. 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. Political and Other Extrajudicial Killing

There were no reports of political killings by security forces during the year; however, there was a report that security forces committed extrajudicial killings. Following the February murder of 3 tourists in Kidal, the Government questioned at least 40 persons and detained 9 in connection with the murders. 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.). The Government initiated an investigation into the incident, but it had not released the results by year's end; no action had been taken against the soldiers.

Individuals accused of seeking to disrupt the June 1998 elections in Segou by throwing a grenade into the courtyard of the regional representative of the electoral commission were released from prison in 1999. During that 1998 attack, a deputy chief commissioner's daughter was killed and several other persons were wounded. On October 12, 1999, the detainees were released provisionally to await arraignment and trial; during the year, the case was dismissed.

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, there were reports that soldiers tortured and killed two suspects arrested in connection with the February murder of three tourists (see Section 1.a.).

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

Prison conditions are poor. Prisons continued to be overcrowded, medical facilities were inadequate, and food supplies were limited. In Bamako juvenile offenders usually are held in the same prison as adult offenders, but they are kept in separate cells. Women are housed in the same prison facility as men, but they live in a separate compound. In regional prisons outside the capital, men and women are housed in the same building but in separate cells. In these facilities, children share cells with adult prisoners of the same sex; however, there were no reports that women or juveniles were abused by other inmates or by guards. The Judiciary Forum meeting of civil society representatives held in 1999 concluded that prison conditions remained poor; however, the 1999 Democracy Forum noted that the Government had taken some steps to improve the conditions for detainees, including opening separate facilities for the reeducation of young offenders and training programs for guards on the rights of detainees. The Democracy Forum again discussed prison conditions at its December 10 meeting, although not in extensive detail. It noted improvements in medical attention and food quality.

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, in general, the Government does not employ them. However, in February authorities questioned at least 40 persons and arrested 9 suspects in connection with the murder of 3 tourists. According to unconfirmed reports, soldiers tortured and killed two of the suspects (see Section 1.a.); three of the suspects remained in detention. The Government issued warrants for murder, but the investigation continued at year's end.

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. Moreover, 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.

Judicial warrants are required for arrest. Local lawyers have estimated that about half of prison inmates are pretrial detainees. This judgment was confirmed in March 1999 during the Judiciary Forum seminar. 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.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the executive branch continues 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. The Government launched a campaign against corruption early in the year that led to the detention of many government 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 commissioner Douah Abraham 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." They had been convicted and sentenced to death in 1993, but President Konare commuted their sentences to prison terms in December 1997. The trial in their cases and similar cases involving five other senior officials of the Traore regime began in October 1998. 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 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. Imprisoned former government leaders also receive nondiscriminatory medical treatment.

There were no other reports of political prisoners.

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

The Constitution provides for the inviolability of the home, 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.

The Superior Council of Communication (CSC) was installed officially in 1994, although it was created in 1992. The CSC's 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 100 private newspapers and journals in French, Arabic, and local languages throughout the country, and there are as many as 30 newspapers in Bamako. There are seven daily newspapers: six are privately owned, of which one, Les Echos, is allied with the ruling party, and one is government controlled (L'Essor). All newspapers must be registered with the Ministry of Communications; however, registration not

complicated and can be completed quickly.

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, makes 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. As well as commercial radio stations, private radio broadcasters include 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 International, African No. 1, the British Broadcasting Corporation, Voice of America, and Radio Netherlands; all have FM frequencies.

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 offer 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 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.

Domestic reception and distribution of foreign satellite and cable television is permitted and fairly widespread, especially in Bamako. Eight domestic servers provide access to the Internet. Licenses to operate Internet servers are granted freely and are not prohibitively expensive.

The Government generally respects academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respects this right in practice; however, there were a few exceptions. 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. The Constitution provides for freedom of association, and the Government respects this right in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The law allows for religious practices that do not pose a threat to social stability and peace. The Constitution declares the country a secular state.

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. The Government generally does not restrict internal movement and does not restrict international travel; however, police routinely stop and check both citizens and foreigners to restrict the movement of contraband and to verify vehicle registrations. Some police and gendarmes use the occasion to extort bribes.

A 1998 law conforms to the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. As a follow-up to this law, in December 1998 the Government created a national committee in charge of refugees. The committee began operations in January 1999 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 Mauritians refugees, mostly Fulani herders, living in the Kayes region of western Mali at year's end. However, the UNHCR, Mauritania, and Mali 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. Throughout 1998 the UNHCR provided some limited material assistance and incentives to pastoralists of Mauritanian origin to return to Mauritania. In June 1999, the UNHCR completed its assistance to such persons, which consisted of community support at their living sites as opposed to repatriation assistance. Mauritians may register for refugee status, although few actually do.

The country hosted approximately 1,900 urban refugees as of November 1999; four-fifths are from Sierra Leone and 90 percent are in Bamako. The Government opened a transit center in 1998 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 that 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

Citizens have the right to change their government and do so through periodic elections. 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. 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 continued to contend that the Government failed to carry out constitutionally mandated annual electoral list revisions and that, therefore, the elections should be declared invalid; however, the issue was not pursued during the year.

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 that involved political parties, civil society, and the Government. In August the National Assembly approved changes to the Constitution and approved changes to the electoral law. Pursuant to these changes, legislative elections will provide a mixed system that allows for 110 deputies to be elected by majority vote from electoral district lists and 40 to be elected on a proportional basis from a national list. The constitutional amendments and the revised electoral law must be approved by referendum; the referendum is scheduled for September 30, 2001.

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.

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 130 of 147 seats in the National Assembly, with 12 held by allied parties and 5 held by opposition parties.

The Government instituted far-reaching administrative reforms during 1999. As of September 1999, 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 is still a controversial issue. The process has changed traditional power relationships between government and 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 it 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. In two communities (Kidal and Almoustarat), council members could not elect a mayor due to intercommunity disputes. In Kidal local traditional authorities prevented the woman who was elected as mayor from assuming office. These conflicts were solved during the year, and in June the local communities in Kidal and Almoustarat appointed mayors by consensus.

There are no restrictions, legal or otherwise, on voting by women or minorities; however, women are underrepresented in government and politics. A total of 18 women hold seats in the 147-member National Assembly, compared with 3 elected in 1992. There are 7 female cabinet members of a total of 21. 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

Independent 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 (AI)--operate openly and without interference from the Government. The ICRC has offices in Bamako, Tomboctou, 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. 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.

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

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 abuse.

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 national literacy rate was 12 percent for women over 15 years of age. Women constitute approximately 15 percent of the labor force. The Government, the country's major employer, pays 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. 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.

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 both to 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, seeks 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 is not close to completion, and it was not extended officially during the year; however, it continued to influence government project development.

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

Children

Although by law primary education is compulsory and free through the sixth grade, only 50 percent of children receive a basic education. Literacy rates among females remain significantly lower than for males. 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.

There is no constitutional or legal provision to protect the interests and rights of children, and there is no juvenile court system. However, the Malian 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.

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

Female genital mutilation, which is condemned widely by international health experts as damaging to both physical and psychological health, is still 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 is 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 supports educational efforts to eliminate the practice through seminars and conferences and provides media access to proponents of its elimination. In 1997 the Ministry for the Promotion of Women created a National Committee Against Violence Towards Women that 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.

People with Disabilities

There is no specific legislation protecting the rights of the physically or mentally disabled, nor mandating accessibility. The Government does not discriminate against the physically disabled in regard to employment, education, and other state services; however, the Government has not made provision for the disabled in these areas. There is no societal discrimination against the disabled; however, in view of the high unemployment rate, the physically disabled often are unable to find work.

National/Racial/Ethnic Minorities

The population of about 10 million is ethnically, culturally, and regionally diverse. Major ethnic-cultural groups include: the Mande, concentrated in the southwest, which constitutes about half the population and includes 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 pastoralist, comprising the Tuaregs and Moors of the northeast and northwest, respectively, and the Peul (or Fulani) widely dispersed from east to west across the southern third of the country.

Longstanding tensions between the long-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. In June and July 1999, there were two violent incidents over natural resource management between Fulani herders and Sarakole farmers in the western region of Kayes bordering Senegal and Mauritania. A dozen persons were killed, and several were wounded. Clashes between Arab and Kounta communities in September 1999 resulted in the death of 33 persons, with several others wounded. In both cases, traditional and parliamentary mediators negotiated peace between the parties in conflict. There were no further incidents during the year.

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.

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 UNTM, formerly the only major labor body, split in late 1997, dividing the country's 12 labor organizations into 2 federations.

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. The International Labor Organization (ILO) requested the Government to 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.

During the year, there were strikes in the transportation, cotton growing, and public sectors for better conditions and higher wages. In all cases, the Government negotiated in good faith, and the strikes ended peacefully. In July judges went on strike to demand better working conditions. The strike ended when the Government agreed to renegotiate salaries and provide security for judges who believed that they were threatened because of their work.

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. Salary levels are pegged nationally to an index established by the Government on which civil service pay is based. These negotiations usually set the pattern for unions outside the UNTM. The Ministry of Labor acts as a mediator in labor disputes. The 1997 split in the UNTM did not change the basic procedures of these negotiations.

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, including that performed by children; however, organized traffickers sold Malian children into forced labor in Cote d'Ivoire (see Section 6.f.).

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

Although there have been no other reports of forced or bonded child labor, apprenticeship, often in a family member's or a parent's vocation, begins at an early age, especially for children unable to attend school.

There were some reports that the de facto slavery long reported to have existed in northern salt mining communities has evolved toward 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.

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

The 1996 Labor Code has specific policies that pertain to child labor. 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 restrict the frequency and effectiveness of oversight by the Labor Inspection Service, and the Service operates only in the modern sector.

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 are not physically demanding; boys may work up to 8 hours per day and girls up to 6 hours per day.

These regulations often are ignored in practice. Moreover, 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.

The Government ratified ILO Convention 182 on the worst forms of child labor on July 14. 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, is responsible for investigating abusive forms of child labor. IPEC relies 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 is no predetermined number of inspections per year; however, investigations are held when information is provided by NGO's or the media that there is an instance of abusive child labor.

Education is free and, in principle, is 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 50 percent of children receive a basic education. Child labor predominates in the agricultural sector and, to a lesser degree, in crafts and trades apprenticeships, and cottage industries.

The Labor Code prohibits forced or bonded child labor; however, Malian children were sold into forced labor abroad by organized traffickers, and apprenticeship begins at an early age (see Sections 6.c. and 6.f.).

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 (26,000 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 some 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.

f. Trafficking in Persons

While the law does not specifically prohibit trafficking in persons, there 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 the cotton, coffee, and cocoa plantations of 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 from \$20 to \$40 (10,000 to 20,000 CFA). According to media reports the children 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; however, there is no specific program of protection for victims. Both ministries in coordination with the Ministry of Foreign Affairs and the Ministry of Territorial Administration have developed a program designed to operate until the end of 2001 to identify and rehabilitate victims, educate the population, and strengthen the legal system with regard to the movement and trafficking of minors. However, at year's end, the program was still being organized.

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. In the spring, more than 50 children were returned to their families from Cote d'Ivoire. In August the Governments of Mali and Cote d'Ivoire signed a treaty to cooperate in combating trafficking; however, no traffickers were prosecuted during the year.

The Government assisted repatriated workers in communicating with family members; however, the total of those assisted was unknown, partly because the number of trafficked persons in neighboring countries could not be determined.

[End.]