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U.S. Department of State

Mali Country Report on Human Rights Practices for 1998

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MALI

Mali is a relatively centralized constitutional democracy now pursuing decentralization through local elections. President Alpha Oumar Konare was reelected to a second 5-year term in 1997. A collective of 18 opposition parties that boycotted the 1997 presidential and legislative elections, which were administratively flawed but considered generally free and without evident fraud, also boycotted the June municipal elections. 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 and ADEMA-aligned parties. In 1997 the President reappointed Prime Minister Ibrahim Boubacar Keita as head of government. The Government named a new cabinet in September 1997 that includes opposition and ADEMA-aligned members. Local elections took place in June in 19 urban communities. However, in four of these communities, more than one-third of the council members subsequently resigned resulting in the municipal councils being dissolved by law. In September the Government postponed until April 1999 the rural elections previously scheduled for November. The Constitution provides for an independent judiciary, but 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 Territorial Administration and Security. The police and gendarmes share responsibility for internal security. The

Government continued the process of integrating elements of former Tuareg rebel forces into its armed forces. Members of the security forces were responsible for a few human rights abuses.

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 \$251 per capita, which provides most of the population with a low standard of living. The economy depends heavily upon foreign assistance. Desertification and social limitations, including a current estimated literacy rate of roughly 20 percent and a high population growth rate, contribute to poverty. Poor infrastructure, minimal foreign investment, administrative inefficiency, and corruption are also important factors in limiting economic growth.

The Government generally respected constitutional provisions for freedom of speech, press, assembly, association, and religion. However, prison conditions remained poor, there were instances of arbitrary arrest and detention, and the judicial system's large case backlog resulted in long periods of pretrial detention. The judiciary continued to be subject to executive influence. There were a few instances in which freedom of assembly was limited. Social and cultural factors continued to sharply limit economic and educational opportunities for most women. The Government closed secondary schools and colleges in January following violent student demonstrations in support of higher stipends and better conditions. Societal violence against women and children, including spousal abuse and female genital mutilation (FGM), is widespread. There were two serious incidents of societal violence related to religious tension. There was an incident of mob violence against Christian missionaries that resulted in several injuries and significant property damage. In a separate incident, adherents of a traditionalist Muslim sect killed a judge who had detained some of the sect's members. Gendarmes, local hunters, and military veterans killed 11 members of the sect in an exchange of gunfire following a subsequent jailbreak. Some Malian children were sold into forced labor in Cote D'Ivoire; the Government arrested several traffickers. A number of persons died in incidents of mob violence.

RESPECT FOR HUMAN RIGHTS

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

Political and Other Extrajudicial Killing

There were no reports of political killings by security forces during the year.

In August members of a traditionalist Muslim sect, the "pieds nus" (bare feet), murdered a judge who had imprisoned one of their members for a minor infraction, and attacked the town jail, releasing the prisoners, many of whom later returned voluntarily. Gendarmes and local hunters killed 11 members of the sect in a skirmish following the jailbreak (see Section 5).

There were no developments in the 1994 deaths of the Swiss Cooperation Mission director and his two Malian colleagues, who were killed by an army patrol in Niafunke. A government mission of inquiry into their deaths determined that the actions were unwarranted and unjustified. However, to date, the Government has taken no action to expedite the case, which remains on file at a regional court.

In the evening prior to the June municipal election in Segou, individuals seeking to disrupt the elections threw a grenade into the courtyard of the regional representative of the electoral commission, killing the deputy chief commissioner's adult daughter and wounding several other persons. Several persons were

arrested and charged with assault and attempt to kill; the case remained under judicial investigation at year's end.

The persons accused of the May 1997 bombing of the Bamako market on election day were tried and sentenced to imprisonment in November but immediately pardoned by the President. Similarly, the persons accused of shooting and killing two opposition activists and wounding several other persons in San in July 1997 were convicted and imprisoned but pardoned by the President early in the year. The 10 opposition party officials accused of inciting a mob to kill a police officer at an opposition rally in August 1997 were also convicted and imprisoned but pardoned by the President early in the year (see Sections 1.c. and 1.e.).

In February a mob attacked a rural police station and subsequently killed two individuals held there who were accused of murdering a man while stealing his motorcycle

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, and the authorities generally respect these provisions.

Amnesty International (AI), in reports released in November 1997 and in October, cited allegations by former detainees and an independent witness that members of the security forces had tortured them in order to extract confessions in some cases. Although senior government officials voiced skepticism about these reports, the Government invited AI to continue its monitoring and reporting activities (see Section 4). In the two cases on which AI's allegations of torture chiefly focused, namely the case of the 1997 election day bombing of the Bamako market (see Section 1.a.) and the case of military officers accused of planning a coup (see Section 1.e.), the defendants were released soon after their convictions, either because the President pardoned them or because the court imposed short sentences including the time that they already had been detained.

Prison conditions are poor. Prisons continue to be characterized by overcrowding, inadequate medical facilities, and limited food supplies. They remain below minimum international standards. In Bamako juvenile offenders are usually held in the same prison as adult offenders but are kept in separate cells. Women are housed in the same prison facility as men but 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. In late 1997, the Justice Minister made a fact finding tour of the prison system, which led to the closing of the colonial-era Kidal prison with its prisoners given daytime jobs in the remote northern desert town. The Minister initiated an overall review of prison conditions and, at year's end, the review still was ongoing. In December the Justice Minister confirmed that poor prison conditions persist. Also in December, the Government inaugurated a new detention center in Bamako for women and children with an emphasis on reeducation and return to society.

Several organizations, including the Malian Association of Human Rights, the Malian Association of Women Jurists, and other nongovernmental organizations (NGO's) 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 leading members of the former government.

d. Arbitrary Arrest, Detention, or Exile

The Constitution provides that suspects must be charged or released within 48 hours and that they are entitled to counsel. In practice, however, detainees are not always charged within the 48-hour period. Moreover, administrative backlogs and insufficient lawyers, judges, and courts often cause lengthy delays in bringing people to trial. In extreme cases, individuals have remained several years in prison before coming to trial. For example, Abdoulaye Diallo had been detained since 1995, prior to his conviction in March for embezzlement during his tenure as Minister of Health under the regime of General Moussa Traore, who was President until 1991. He was sentenced for crimes of bloodshed to 3 years of imprisonment that included time spent in custody. He was absolved of economic crimes.

Judicial warrants are required for arrest. Local lawyers have estimated that about half of prison inmates are pretrial detainees. Limited rights of bail or the granting of conditional liberty exist, particularly for minor crimes and civil matters. On occasion the authorities release defendants on their own recognizance.

In April the Government arrested about 40 students, detained them for 3 days, and then released them (see Section 2.b.).

In September police detained a newspaper publishing manager for questioning regarding an article about the President (see Section 2.a.).

Former first lady Mariam Traore and former Customs Commissioner Douah Abraham Sissoko, who were placed under detention following the fall of the Moussa Traore regime in 1991, remain under detention. They were convicted and sentenced to death in 1993, but President Konare commuted their sentences to prison terms in December 1997. In 1997 former President Traore, his wife, and Sissoko were charged with "economic crimes," including "abuse of a position of power," and "illicit enrichment." Their cases, and similar cases involving five other senior officials of the Traore regime, came to trial in October.

The Government does not practice forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, but the executive branch continues to exert influence over the judicial system. The Ministry of Justice appoints and has the power to suspend judges and supervises both law enforcement and judicial functions, and the President heads the Superior Judicial Council, which oversees judicial activity.

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.

Women and minorities are not discriminated against in courts, but traditional practice discriminates against women in inheritance matters.

Amnesty International in an October report described the arrest in 1996, detention in 1997, and ultimate trial and conviction in March of seven military officers, including former minister Mady Diallo, accused of plotting to overthrow the Government. The report concluded that there were irregularities throughout the process, that confessions were provided under duress, and that the entire process and the subsequent sentences were politically motivated. The prosecution, however, described the officers' claimed labor union activities within the officer corps as a veiled attempt to organize a coup. The accused were released in March, having already served in detention most of the prison terms to which they were sentenced.

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 respects this right in practice. Police searches are infrequent and require judicial warrants. Security forces do, however, 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 to be a threat to national security.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press, and the Government generally respected these rights in practice.

There are approximately 40 private newspapers and journals, in French, Arabic, and local languages. There are five daily newspapers: four are privately owned, of which one is allied with the ruling party; one is government controlled.

The Government does not censor print, broadcast, or electronic media, which often offer editorials critical of the Government and opposition alike. 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 current Government has never prosecuted journalists on criminal libel charges. There were no journalists incarcerated at year's end, and, other than an opposition journalist detained briefly for questioning, no journalists were arrested on libel charges. There were no incidents of civil libel actions against journalists or seizure of print runs or other government harassment of journalists or the media.

On May 18, Cheick Oumar Konare, editor-in-chief of a

Bamako-based proopposition daily, Sud Info, announced that he was quitting journalism under government pressure. Konare stated that on May 12 a group of masked men pulled him from his car, took him to a ravine, gagged him, beat him, and threatened to kill him and all other journalists critical of ADEMA. Konare also stated that on May 17 his car was set on fire while parked in front of his house. However, independent observers did not substantiate Konare's account of these events, and he did not

report them to the police.

On September 15, police detained Chouaidou Traore, the publishing manager of a private Bamako daily newspaper, *Nouvel Horizon*, and questioned him regarding an article that claimed that the President might consider changing the Constitution to permit him to run for a third term of office. The manager was released the same day without being charged.

The Government controls one television station and one of many radio stations, but 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. Fifteen private radio stations exist in Bamako, and there are approximately

40 additional stations throughout the country.

Two private television companies rebroadcast French, British, South African, and American television programs, including news bulletins. However, 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 is still developing the fee schedules. Radio KLEDU has had an approved application on record since 1992, but it also is awaiting announcement of the fee schedules and examining its financial base before starting private television broadcasting. At present there is no legal provision allowing private ownership of a television station; however, private retransmission stations are allowed. The Government made little progress toward private television licensing during the year.

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

Academic freedom generally is respected; however, in April security forces made a mass arrest of students attending a meeting on the campus of an institute of higher education (see Section 2.b.).

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; such permission is granted routinely. However, in April the Government arrested about 40 students during a meeting of the Malian Students's Association held on the campus of the National School of Administration to plan coordinated student demonstrations for improved educational conditions. Those arrested included two members of the Malian Student Coordination Bureau, its secretary general Bakary Mariko, and its administrative secretary Lamine Badi. However, no one was charged and all were released 3 days later. During the weekend of the June 21 municipal elections, the Government denied permits to opposition groups seeking to hold rallies in congested public areas where preelection violence occurred in 1997. In the weeks prior to the elections, the Government issued permits to opposition and student groups that held a number of demonstrations.

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 declares Mali to be a secular state. The Government does not discriminate on religious grounds, and all persons are free to practice their faiths. There are restrictions against the Baha'i faith; however, they seldom are enforced and Baha'is generally practice their faith freely. The law allows for religious practices that do not pose a threat to social stability and peace. Muslims make up about 90 percent of the country's population. Most non-Muslims practice traditional animist religions or no religion, but there is also a small Christian minority. Persons are free to change their religion. Muslims and non-Muslims are free to proselytize. The Minister of Territorial Administration and Security can prohibit religious publications that he concludes defame another religion, but there were no known instances of publications being 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.

The Government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. In June the Government passed legislation regarding the status of refugees, which conforms to the provisions of the 1951 U.N. Convention Relating to the Status of Refugees. The Government provides first asylum for refugees. There were no reports of the forced return of persons to a country where they feared persecution. In May the Government expelled four senior officers from the armed forces of the former Zaire who requested refugee status upon their arrival from Cote d'Ivoire. The Government returned the four officers and their families to Cote d'Ivoire.

The estimated 10,000 Mauritanian refugees living in western Mali, constitute a quasi-refugee population. However, neither Mali nor Mauritania accords refugee status to members of these pastoralist border groups, who historically make cross-frontier migrations. The UNHCR continues to provide assistance and incentives for voluntary repatriation to Mauritania, but many nomads of Mauritanian origin shun these efforts due to a perceived lack of economic opportunity in Mauritania.

The UNHCR successfully completed the repatriation of Malian refugees displaced by the Tuareg rebellions of the early 1990's. The UNHCR has closed the refugee camps formerly located in neighboring countries. However, the UNHCR retains a presence in northern Mali as a follow-on to resettlement efforts aimed at former refugee populations and continues to coordinate with NGO's and the Government in the overall effort to revitalize the economic situation in the north.

Mali hosts approximately 2,000 Sierra Leonian, Liberian, and other refugees. The UNHCR office in Bamako reports a registered caseload of 1,060 Sierra Leonians, 300 Liberians, and 440 other nationals as of year's end.

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

Citizens have the right to change their government and did so for the first time in 1992. 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 charge that the Government failed to carry out constitutionally mandated annual electoral list revisions and that, therefore, the elections should be declared invalid.

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 governors, 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 all questions of national interest to 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 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.

Except for the 19 cities where elections were held in June (and until rural elections are carried out), the country is ruled by appointed officials (governors, commandants de cercle, and chefs d'arrondissement). After local elections scheduled for 1999 are completed, regional legislatures are to be formed by elected local government officials, and governors are to be elected in each of the country's eight regions. Although local governments currently remain largely dependent on the central Government for their revenues and staff, each community is to have its own revenue collection mechanism. Decentralization is a politically controversial issue; while it is supported by the central authorities, the nonparticipating opposition believes that the Government is dominating the process and that it should arrive at through consensus among a broad spectrum of actors.

The first local government elections since 1992 were held in June to choose council members (who in turn select the mayor and deputy mayor) for the 19 urban communities. ADEMA won mayoral and deputy mayoral seats in every community except two in which allied parties won both seats. Several opposition parties boycotted the June municipal elections, citing flaws in the voter registration system. During the week preceding the elections, one person was killed in election related violence (see Section 1.a.), and several persons were arrested in Segou for attempting to sabotage the elections. They were charged with assault with intent to kill and conspiracy to destroy public property. An opposition party's officials blamed a fire in its Bamako headquarters on ADEMA supporters. In four communities, more than one-third of the newly-elected council members resigned, citing flaws in the electoral process, inability to govern due to insufficient resources, and breach of promises on the part of the ruling party. In accordance with law, the Council of Ministers dissolved these councils, which lacked a quorum, and ordered new elections for these communities. However, a new election in Sikasso produced similar results and again was followed by mass resignations.

In September the Government postponed the first elections for the council members of the country's 682

rural communities from November to April 1999. Later the same month, the members of the Independent National Election Commission (CENI) resigned, stating that their original mission was complete.

There are no restrictions, legal or otherwise, on voting by women or minorities. However, women are underrepresented in politics. A total of 18 women hold seats in the 147-member National Assembly, compared with 3 elected in 1992. Six cabinet members are women. Members of historically marginalized pastoralist ethnic minorities, including Fulani and Taureg, 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 an office in Bamako and has strengthened its presence in the north by opening offices in Timbuktu and Gao.

In response to a 1997 report by AI, as well as to an October follow-up investigation report detailing alleged instances of torture and other abuses, the Government denied the credibility of the allegations and invited AI to conduct further investigations in the country.

Since 1994 the Government has held an annual Democracy Forum in December to which it 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 who speak freely. Held on December 10, the annual Democracy Forum received live radio and television coverage for its 14-hour session. A panel of international jurors reviewed 98 questions on government performance and human rights, questioning government ministers on the slowness of the judicial system, insufficient number of judges, and poor prison conditions.

In July the Government cooperated with the United Nations to allow the extradition under U.N. escort of a former Rwandan official wanted by the International War Crimes Tribunal in Arusha.

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

Although the Constitution prohibits discrimination based on sex and provides for the basic rights of all persons, violence against women, including wife beating, is tolerated and common.

Women's access to jobs in the professions and government, and to economic and educational opportunities has traditionally 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. Women comprise 15 percent of the labor force. The Government, the major employer, pays women the same as men for similar work. Women often live under harsh conditions, especially in the rural areas, where they perform hard 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 this reform. 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.

There are numerous active women's groups that promote 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 through the sixth grade, only 50 percent of children receive a basic education. Literacy rates among women remain low due to a low degree of adherence to this requirement, a lack of primary schools, cultural tendencies to place less emphasis on education for women, 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 no juvenile court system. However, the Malian Social Services Department investigates and intervenes in cases of reported child abuse or neglect.

From January 8 until January 19, the Government closed all secondary and college level educational institutions at all levels in the wake of widespread student demonstrations held to demand increases in student stipends and improvements in educational conditions. Similar demonstrations occurred in April (see Section 2.b).

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

Female genital mutilation (FGM), which is widely condemned 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 a 1995-96 national demographic and health survey, at least

93.7 percent of adult women have undergone this mutilation. The Government has not proposed legislation prohibiting FGM. However, 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 and in October the national committee adopted a draft action plan against sexual mutilation for submission to the ministerial council.

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. Given the high unemployment rate, however, the physically disabled are often unable to find work.

Religious Minorities

On April 28, a mob of about 300 Muslims attacked Christian missionaries and NGO workers in the

northern region of Gao. Several missionaries were injured; their assailants stole property, and burned and partially destroyed a small Christian church and two missionary houses. The attack followed the public showing of a film on the life of Jesus, which reportedly exacerbated already existing tensions between Christians and Muslims.

On August 2, members of a traditionalist Islamic sect known as the "pieds nus" (bare feet) stabbed and killed judge Omar Bah in Dioila, and freed several members of their sect from the Dioila jail, where they had been incarcerated for disturbing the peace. The attack followed the death in the jail of an 85-year-old sect member who had adhered to the sect's practice of refusing to take medication. Gendarmes, local hunters and military veterans apprehended the "pieds nus" after the jail break, shot and killed 11 of them, and wounded 10 more in an exchange of gunfire outside Dioila.

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 ethnic group; the Malinke; 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 the Peul (or Fulani) of the central region.

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.

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 one 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 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 negotiations with the employer and a third party, usually the Ministry of Labor. The Labor Code prohibits retribution against strikers, and the Government respects this

requirement in practice. During the year, post office workers and teachers threatened to go on strike. Both groups subsequently negotiated and signed collective bargaining agreements.

Unions are free to associate with and participate in international bodies.

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. 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. 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 Tuareg populations. There are reliable accounts of incidents of Bellahs voluntarily leaving their Tuareg families and of rejoining the households of Tuaregs repatriated from neighboring countries.

There were instances of trafficking of Malian children who were sold into forced labor in Cote d'Ivoire. For example, children recruited by Malians in the border town of Sikasso were promised jobs in Cote d'Ivoire, transported across the border, and then sold for approximately \$20 to \$40 (10,000 to 20,000 CFA Francs) to Malians and Ivorians who brokered them throughout the plantations of north-central Cote d'Ivoire. The Government is taking steps to halt this trafficking and repatriate the children to Mali. In July 55 children were returned to their families from Cote d'Ivoire. The Government arrested five persons in Sikasso who were responsible for trafficking.

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

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

The Government adopted a Labor Code in 1996 that has specific policies pertaining to child labor. The Labor Code prohibits forced or bonded child labor, and the authorities enforce this provision through the use of labor inspectors. Inspectors from the Ministry of Employment, Public Service, and Labor 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 (see Section 6.c.).

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 4½ 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; males may work up to 8 hours per day and females up to 6 hours per day.

These regulations are often 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 in the informal sector, for example, street vending. These children are not protected by laws against unjust compensation, excessive hours, or capricious discharge.

Education is free and in principle is open to all, although the majority of students leave school by the age of 12. While primary school is compulsory, it is only available to one-half of the children. Child labor predominates in the agricultural sector and, to a lesser degree, in crafts and trades apprenticeships, and cottage industries.

e. Acceptable Conditions of Work

The Labor Code specifies conditions of employment, including hours, wages, and social security, but 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 (21,000 CFA Francs) per month. Workers must be paid overtime for additional hours. 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. With unemployment high, however, workers are often 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. 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.

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