



Mali

Country Reports on Human Rights Practices - [2002](#)

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Mali is a constitutional democracy that continued to implement a decentralized form of government. In May General Amadou Toumani Toure, former head of state during the 1991 to 1992 transition government, was elected to a 5-year term as President. The presidential and legislative elections were judged generally free and fair by international and domestic observers; however, there were some administrative irregularities. The former ruling party, Alliance for Democracy in Mali (ADEMA), lost its majority in the National Assembly, and no party held a clear majority. The Constitution provides for an independent judiciary; however, in practice the executive branch continued to influence the judiciary.

Security forces were composed of the army, air force, Gendarmerie, the National Guard, and the police. While civilian authorities generally maintained effective control of the security forces, there were a few instances in which elements of the security forces acted independently of government authority. The army and air force were under the control of the civilian Minister of Defense, as were the Gendarmerie and the National Guard. The police were under the Ministry of Internal Security and Civil Protection. The police and gendarmes shared responsibility for internal security; the police were in charge of urban areas only. There were no reports that security forces committed human rights abuses.

The country was very poor with a market-based economy, and its population was approximately 11 million. Most of the work force was employed in the agricultural sector, particularly farming and animal husbandry. The gross national product was approximately \$300 per capita, which provided most of the population with a low standard of living, although there was a sizable middle class. The economy depended 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 (2.4 percent), contributed to poverty. The inflation rate remained low, and public sector wages were adjusted to keep pace with inflation. Poor infrastructure, minimal foreign investment, administrative inefficiency, and corruption also were important factors in limiting economic growth.

The Government generally respected its citizens' human rights; however, there were problems in some areas. Prison conditions remained poor. Occasionally police arbitrarily arrested and detained persons. Prolonged pretrial detention was 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) was widespread, although educational campaigns against FGM were ongoing. Hereditary servitude relationships continued to link different ethnic groups. Child labor was common in the agricultural and domestic help sectors. Children were trafficked into forced labor in Cote d'Ivoire; the Government returned a number of these children to their families during the year. Mali was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

No action was taken, nor was any likely to be taken, against the soldiers accused of the torture and killing of two persons suspected in the 2000 killing of three tourists. The three other suspects remained in detention at year's end, and the investigation continued.

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 there were no reports that government officials employed them.

There were no new developments in the following 2001 incidents: The January attack on the Gendarmerie Headquarters in Tarkint in which two gendarmes were injured; and the June death of a bus driver, who fell or jumped to his death from a bridge while being pursued by the police.

Prison conditions were poor. Prisons continued to be overcrowded, medical facilities were inadequate, and food supplies were limited. In 2001 a new prison facility for women and juveniles was built in Bamako. The new prison allowed for some separation of prison populations in Bamako; however, the situation remained unchanged outside the capital, where men and women were housed in the same building but in separate cells. In Bamako juvenile offenders usually were held in the same prison as adult offenders, but they were kept in separate cells. There were no reports that women or juveniles were abused by other inmates or by guards. Pretrial detainees were held with convicted prisoners.

The Government permitted prison visits by human rights monitors. Several organizations, including the Malian Association of Human Rights, the Malian Association of Women Lawyers, and other nongovernmental organizations (NGOs) visited prisoners and worked with women and juvenile prisoners to improve their conditions. The International Committee of the Red Cross (ICRC) continued to visit former President Traore and his wife Mariam until they were pardoned and released in June (see Section 1.e.).

d. Arbitrary Arrest, Detention, or Exile

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

Judicial warrants were required for arrest. The normal procedure was for the complainant to deliver the warrant, which stipulated when the person was to appear at the police station. In some cases, the police served the warrant. This normally was done at the request of a relative or in the event of a bribe. Frequently in cases where money was involved, the arrested person agreed to resolve the case at the police precinct, and the police received a portion of the recovered money.

The Constitution provides that suspects must be charged or released within 48 hours and that they are entitled to counsel; however, in practice detainees were not always charged within the 48-hour period.

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

One of the 36 Pakistani preachers who the police arrested and detained in October 2001 for allegedly entering the country illegally remained in custody at year's end. The Government did not release a report on the Pakistani preachers by year's end.

Administrative backlogs and insufficient lawyers, judges, and courts often caused lengthy delays in bringing persons to trial. In extreme cases, individuals remained in prison for several years before coming to trial. Local lawyers estimated that approximately half of prison inmates were pretrial detainees.

The Government did not use forced exile.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the executive branch continued to exert influence over the judicial system. The Ministry of Justice appointed and had the power to suspend judges; it supervised both law enforcement and judicial functions. The President headed the Superior Judicial Council, which oversaw judicial activity. Domestic human rights groups alleged that there were instances of bribery and influence peddling in the courts. In 2000 the Government launched a campaign against corruption that led to the detention of many senior civil servants, businessmen, and political leaders from all parties. They subsequently were released; however, they were not permitted to leave the country and still were under investigation at year's end.

The Supreme Court has both judicial and administrative powers. The Constitution provides for 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 were public, and defendants had the right to be present and have an attorney of their choice. Defendants and attorneys had access to government evidence relevant to their cases. Defendants were presumed innocent and had the right to confront witnesses and to appeal decisions to the Supreme Court. Court-appointed attorneys were provided for the indigent without charge. The village chief, in consultation with the elders, decided the majority of disputes in rural areas. If these decisions were challenged in court, only those found to have legal merit were upheld.

In June President Konare pardoned and released former President Traore and his wife, Mariam, who were the last members of the Traore regime still in prison. They remained in the country at year's end.

There were no reports of political prisoners.

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

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice. Police searches were infrequent and required judicial warrants. However, security forces maintained 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's (CSC) primary function was to regulate the media, both protecting and controlling journalists. The Committee of Equal Access to State Media was activated during election campaigns. Mandated by the Constitution, it oversaw equal access to the government-controlled media for all political parties.

There were more than 30 private newspapers and journals in French, Arabic, and local languages throughout the country, and there were as many as 20 newspapers in Bamako. There were 10 or more daily newspapers and many others were biweeklies; 6 were privately owned of which one, *Les Echos*, was allied with the former ruling party and one was government-controlled *L'Essor*. All newspapers were required to register with the Ministry of Communications; however, registration was not complicated and could be completed quickly.

The law regulates the press and provides 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.

The Minister of Territorial Administration and Local Collectivities could prohibit religious publications that he concluded defamed another religion; however, there were no reports of instances in which publications were prohibited.

The Government controlled the only television station and 1 of more than 130 radio stations; however, all presented a wide range of views, including those critical of the Government, the President, the Prime Minister, and other politicians. The relative expense of newspapers and television, coupled with a low literacy rate, made radio the most prevalent medium of mass information and communication. There were as many as 15 private radio stations in Bamako, and there were approximately 117 additional stations throughout the country. In addition to commercial radio stations, private or community radio broadcasters included those run by associations and others directed toward smaller villages (the latter two radio services enjoyed special tax advantages).

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

Domestic reception and distribution of foreign satellite and cable television were permitted and fairly widespread, especially in Bamako. There were no private television stations that broadcast domestically produced programs.

There were 30 domestic servers providing access to the Internet. Licenses to operate Internet servers were granted freely and were not prohibitively expensive.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

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

For a more detailed discussion see the 2002 International Religious Freedom Report.

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

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

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

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

At year's end, the country hosted approximately 1,900 urban refugees: 80 percent were from Sierra Leone, and 90 percent were living in Bamako. The Government had a transit center located 120 miles from Bamako, where it hosted approximately 100 of the most vulnerable refugee and asylum applicants. The center had a capacity of approximately 300 persons and could be expanded to hold 900.

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

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

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

Under the Constitution, the President is Chief of State and Commander in Chief of the armed forces and is elected for a term of 5 years with a limit of two terms. The President appoints the Prime Minister. Additionally, the President appoints other members of the Government and sets limits on their powers. He names civil servants (national directors, regional government delegates, and others) and high military officers as mandated by the Constitution. The President promulgates laws within 15 days, following transmission to the Council of Ministers 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 the President can declare a state of emergency and rule by decree, although no president has ever done so since the fall of the Traore regime.

In May presidential elections were held, and General Amadou Toumani Toure, former Head of State during the 1991 to 1992 transition, won more than 60 percent of the vote even without the support of a political party. Independent international and domestic observers judged the elections to be generally free and fair and without evident fraud; however, there were some administrative irregularities. There were reports of abuses of the proxy voting system, problems in verifying identification of some voters, and efforts to influence some voters. Voter turnout reportedly was 30 to 35 percent. Unlike the 1997 elections, none of the opposition parties boycotted the election. The Government and opposition parties reviewed and revised the electoral lists during 2001, and new electoral lists were released early in the year.

In July legislative elections were held that most independent observers considered to be generally free and without evident fraud; however, there were some administrative irregularities. Voter turnout was 20 to 25 percent, lower than for the presidential elections. The former majority party ADEMA and its allies held 56 of 147 seats in the National Assembly; Rally for Mali (RPM) and its allies held 65; and the remaining 26 seats were held by other smaller political parties and independents. No one party or coalition held a majority.

Governing authority was shared between elected mayors in the 701 communes (including the 19 cities) and appointed officials ("commissaires du gouvernement") who were the representatives of the central Government in the District of Bamako, the regions, and the cercles (districts roughly equivalent to counties). Local governments benefited from central government subsidies, but they also were able to collect local taxes to support their operations. Decentralization still was a controversial issue. The process has changed traditional power relationships between government and the governed and has relieved formerly powerful civil servants of their authority. The new administrators often were inexperienced and undereducated. Administrators lacked adequate funding to govern effectively.

The process of amending the Constitution, the electoral law, and other texts began during a National Political Forum in 2000 that involved political parties, civil society, and the Government. In August 2000, the National Assembly approved changes to the Constitution and to the electoral law; however, the constitutional and electoral revisions did not become law because they were not approved by referendum. A referendum scheduled for December 2001 was postponed indefinitely in November 2001, due to increasing criticism and opposition from civil society and opposition parties and a failure to achieve an acceptable consensus. The referendum was not rescheduled by year's end.

There were no restrictions, legal or otherwise, on voting or running for office by women or minorities. A total of 13 women held seats in the 147-member National Assembly. There were 4 female cabinet members of a total of 28. Five women served on the Supreme Court out of 33 justices, and 3 women served on the Constitutional Court out of 9 justices.

Members of historically marginalized pastoralist ethnic minorities, including the Fulani and the Tuaregs, occupied seats in both the Cabinet and National Assembly. The Prime Minister was Tuareg.

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

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

From 1994 to 2001, the Government held an annual Democracy and Human Rights Forum at which citizens voiced publicly their discontent and grievances against the Government in the presence of the media and international human rights observers. Each year before the Forum, the Government published a report to assess implementation of the previous year's Forum recommendations; the Forum then convened to review the previous year's work and to make recommendations to the Government. The topics for discussion during the 2001 Forum included women's rights, access to government services, and judicial reform. The events were well attended by local citizens, and discussion was free and open. The 2001 Forum called on the Government to make these issues a priority in 2002. The Government cancelled the 2002 Forum and replaced it with a meeting intended to restructure the Forum in response to its decreasing attendance over the years; there was no information available on the outcome of the meeting.

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

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

Women

Domestic violence against women, including spousal abuse, was tolerated and common; however, no statistics were available on the extent of the problem. Assault in marriage was a crime; however, police were reluctant to enforce laws against or intervene in cases of domestic violence. Many women in turn were reluctant to file complaints against their husbands because they were unable to support themselves financially.

FGM was common, especially in rural areas, and was performed on girls at an early age. According to domestic NGOs, approximately 95 percent of adult women had undergone FGM. The practice was widespread among most regions and ethnic groups, was not subject to class boundaries, and was not religiously based. There were no laws against FGM, and the Government did not propose legislation prohibiting FGM. The Government pursued a program of public awareness rather than legal prosecution of women involved in the practice. It supported educational efforts to eliminate the practice through seminars and conferences and provided media access to proponents of its elimination. The National Committee Against Violence Towards Women linked all the NGOs active in preventing FGM. During the year, various NGOs 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 was some public dissemination of information in urban areas, but the program continued to develop slowly.

Women had very limited access to legal services due to their lack of education and information, and because family law favored men. Women particularly were vulnerable in cases of divorce, child custody, and inheritance rights, as well as in the general protection of civil rights.

Despite legislation giving women equal rights regarding property, traditional practice and ignorance of the law prevented women from taking full advantage of the law. Prospective spouses chose between polygynous and monogamous marriages; a marriage could not take place without both parties' consent. However, when no preference was specified in the marriage certificate, judges assumed that the marriage was polygynous. A community property marriage had to be specified in the marriage contract. Traditional practice discriminated against women in inheritance matters. For example, men inherited most of the family wealth, and women received a much smaller portion of estates.

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

The first 4-year national plan of action for the promotion of women was completed in 2001; however, the results of the plan were not available by year's end. The plan, financed by national, regional, and local community budgets, sought to reduce inequalities between men and women in six target areas, including education, health, and legal rights. The Ministry for the Promotion of Women, Children, and the Family started on a second 4-year action plan that was intended to continue programs started during the first action plan.

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

Children

Education was free and, in principle, open to all, although the majority of students left school by the age of 12. Students had to provide their own uniforms and school supplies to attend public schools. While primary school was compulsory up to the age of 12, only 56 percent of children (46 percent of girls) received a basic education owing to a lack of primary schools, especially in rural areas where 80 percent of the population lived; shortages of teachers and materials; poverty; and cultural tendencies to place less emphasis on education of girls. Literacy rates among girls remained significantly lower than for boys.

On June 5, the Government enacted a new ordinance enumerating the rights of children and establishing new government positions in each region, that of child "delegates," whose role would be to safeguard the rights and interests of children. The new law also created special courts for children and specified protections for children in the legal system. There was no juvenile court system. The Social Services Department investigated and intervened in cases of reported child abuse or neglect. According to local human rights organizations, reported cases were rare; however, statistics were unreliable.

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

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

Persons with Disabilities

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

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 were excluded from forming unions. Virtually all salaried employees were organized. Workers have established independent unions for teachers, magistrates, health workers, and senior civil servants, and most were affiliated with the National Union of Malian Workers (UNTM) federation. The UNTM has maintained its autonomy from the Government. There were two major labor federations, the UNTM and the Syndicated Confederation of Malian Workers.

Neither the Constitution nor the Labor Code prohibits antiunion discrimination, but there were no reports or complaints of antiunion behavior or activities during the year. If the parties could not come to agreement, the dispute went to the Labor Court for decision.

Unions were 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 participated in training programs on worker's rights.

b. The Right to Organize and Bargain Collectively

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

The Constitution provides for the right to strike, although there were restrictions in some areas. For example, civil servants and workers in state-owned enterprises were required to give 2 weeks' notice of a planned strike and 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 respected this requirement in practice.

During the year, two teachers' strikes occurred, one by university teachers and another by elementary teachers. These strikes were settled within a few days.

In 2001 the Government negotiated with all labor unions a social pact intended to encourage more discussions between workers and employers, thus lessening the risk of strikes.

In 2000 the International Labor Organization (ILO) requested that the Government amend Section 229 of the 1992 Labor Code to restrict the Minister of Labor's authority to impose arbitration to end strikes that were liable to cause an acute national crisis. The Government noted in its report to the ILO that it was undertaking an in-depth, tripartite discussion on Section 229 to make the legislation fully consistent with the principles of freedom of association; at year's end, the review was ongoing.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children; however, there were reports that such practices occurred.

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.

There were some reports that the de facto slavery long reported to have existed in northern salt mining communities has evolved to wage labor in recent years; however, reliable current evidence about labor conditions in those remote facilities remained unavailable. Hereditary servitude relationships continued to link different ethnic groups, particularly in the north. For example, there was 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 Labor Code has specific policies that pertain to child labor; however, these regulations often were ignored in practice. The Labor Code permits children between the ages of 12 and 14 to work up to 2 hours per day during school vacations with parental approval. Children between the ages of 14 and 16 may work up to 4½ hours per day with the permission of a labor inspector, but not during nights, on Sundays, or on holidays. Children between the ages of 16 and 18 could work in jobs that physically were not demanding; boys could work up to 8 hours per day and girls up to 6 hours per day.

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

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

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

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

There were reports that children were kidnaped, sold into effective slavery, and made to work on coffee and cocoa plantations in Cote d'Ivoire. Some children were sold into forced labor by their parents; reportedly the children were beaten if they tried to escape. In August 2001, the Government introduced travel passes for children to try to prevent their being taken abroad to work illegally; however, the measure was criticized for leading to interference with legitimate travel.

e. Acceptable Conditions of Work

The Labor Code specifies conditions of employment, including hours, wages, and social security; however, in practice many employers either ignored or did not comply completely with the regulations. The national minimum wage rate, set in 1994, was approximately \$42 (26,000 CFA francs) per month. Workers had to be paid overtime for additional hours. The minimum wage did not provide a decent standard of living for a worker and family. The minimum wage was 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 supported large extended families and supplemented their income by subsistence farming or employment in the informal sector.

The normal legal workweek was 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 protections against hazards in the workplace, and workers' groups brought pressure on employers to respect parts of the regulations, particularly those affecting personal hygiene. However, with high unemployment, workers often were reluctant to report violations of occupational safety regulations. The Labor Inspection Service of the Ministry of Labor oversaw these standards but limited enforcement to the modern, formal sector. It was not effective in investigating and enforcing workers' safety and was funded insufficiently for its responsibilities. Workers had the right to remove themselves from dangerous work situations and request an investigation by the Social Security Department, which was responsible for recommending remedial action where deemed necessary; it was not known if any worker had done so.

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

f. Trafficking in Persons

The law does not prohibit trafficking in persons but does specifically prohibit trafficking in children; however, children were trafficked for forced labor in Cote d'Ivoire. In August 2001, a new law was promulgated that made child trafficking punishable by 5 to 20 years in prison. There also were laws that prohibited the contractual use of persons without their consent.

Penalties for violations of the law prohibiting forced contractual labor included a fine or hard labor. Penalties increased if a minor was involved; however, these penalties were not imposed during the year. The problem of trafficking was handled by both the Ministry for the Promotion of Women, Children, and the Family and the Ministry of Employment and Civil Service. Both ministries, in cooperation with the Ministry of Foreign Affairs and the Ministry of Territorial Administration, have developed a program to identify and rehabilitate victims, educate the population, and strengthen the legal system with regard to the movement and trafficking of minors. Welcome centers in Mopti, Sikasso, and Bamako assisted child trafficking victims in returning to their families. In 2001 the Ministry of Labor selected a coordinator, Almoustapha Toure, specifically to handle child trafficking issues, as opposed to general child labor issues; however, there was no information available on his efforts by year's end.

An estimated 15,000 Malian children between the ages of 9 and 12 have been sold into forced labor on cotton, coffee, and cocoa farms in northern Cote d'Ivoire over the past few years; an even greater number were forced into domestic service. Organized networks of traffickers deceived the children and their families into believing that they would be given paid jobs outside of their villages. They then were sold to plantation owners for sums ranging

between \$20 and \$40 (14,500 and 29,000 CFA francs). The children reportedly were forced to work 12 hours per day without pay, and often they were abused physically.

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 2001 more than 300 children were returned to their families from Cote d'Ivoire. This figure represented the number of children who were assisted at the Malian welcome centers; children who returned home without first going through a welcome center were not counted. At year's end, approximately 10 traffickers arrested in Sikasso in 2001 had been charged, but no information on trial dates was available.