

# MALI 2017 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Mali is a constitutional democracy. In 2013 President Ibrahim Boubacar Keita won the presidential election, deemed free and fair by international observers. The inauguration of President Keita and the subsequent establishment of a new National Assembly through free and fair elections ended a 16-month transitional period following the 2012 military coup that ousted the previous democratically elected president, Amadou Toumani Toure. The restoration of a democratic government and the arrest of coup leader Amadou Sanogo restored some civilian control over the military.

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

Despite the signing of the Algiers Accord for Peace and Reconciliation in June 2015 between the government, the Platform of northern militias, and the Coordination of Movements of Azawad (CMA), violent conflict between CMA and Platform forces continued throughout the northern region. The terrorist coalition Jama'at Nasr al-Islam wa Muslimin (Support to Islam and Muslims, JNIM)--comprised of Ansar al-Dine, al-Qaida in the Islamic Maghreb (AQIM), and the Macina Liberation Front (MLF)--was not a party to the peace process. JNIM carried out attacks on the military, armed groups, UN peacekeepers and convoys, international forces, humanitarian actors, and civilian targets throughout northern Mali and the Mopti and Segou regions of central Mali.

The most significant human rights issues included arbitrary deprivation of life; disappearances; torture and other cruel, inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary arrest; excessively long pretrial detention; denial of fair public trial; female genital mutilation/cutting (FGM/C), which was common and not prohibited by law; the recruitment and use of child soldiers by armed groups, some of which were affiliated with the government; and trafficking in persons. Authorities and employers often disregarded workers' rights, and exploitative labor, including child labor, was common.

The government made little or no effort to investigate, prosecute, or punish officials who committed violations, whether in the security forces or elsewhere in

the government, and impunity was a problem. Widespread impunity for serious crimes committed in the north and center of the country continued.

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

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

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

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

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

According to Human Rights Watch (HRW), armed forces personnel committed extrajudicial killings and torture of persons accused of supporting Islamist armed groups, primarily in the Mopti and Segou regions. HRW documented three common graves believed to contain the remains of at least 14 men executed after being detained by soldiers since December. The minister of defense stated that the Ministry of Defense (MOD) had launched an investigation into these allegations, which was not completed at year's end.

Armed groups who signed the peace accord and violent extremist groups committed numerous arbitrary killings related to internal conflict. Approximately 200 persons, including several civilians, were killed during clashes between the CMA and GATIA. GATIA reportedly received equipment and logistical support from the government during this period. Terrorist elements, including JNIM affiliates, launched frequent attacks, killing civilians as well as national and international security force members.

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

In 2016 Chadian members of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) allegedly killed civilians. In May, Chadian soldiers attached to MINUSMA reportedly arrested several civilians after a May 2016 attack by Ansar al-Dine. One of the arrested men, a herder, died in Chadian custody. As of October the MINUSMA investigation into the incident continued.

There was limited progress in the prosecution of suspects, including coup leader Amadou Sanogo, in the 2012 disappearance, torture, and killing of 21 Red Berets, including former junta member Colonel Youssouf Traore. Sanogo remained under arrest awaiting trial. His trial began in Sikasso in late 2016, but the presiding judge accepted a defense motion to delay the trial. At year's end, the case was still pending at the Court of Appeals, awaiting results of a DNA analysis.

## **b. Disappearance**

There were several reports of disappearances. For example, on February 3, Ibrahim Barry, who was detained in Mopti by gendarmes, disappeared after his arrest. Barry's whereabouts remained unknown at year's end and there was no information on any investigation.

On August 1, following the July clashes between GATIA and CMA around Kidal, two common graves containing seven and two persons, respectively, were discovered in the Anefis area. Investigations were incomplete.

HRW also documented 27 cases of enforced disappearance during the reporting period in central Mali in which the detainees were last seen in the custody of security forces. According to HRW the government had yet to provide families

with information on missing relatives who had been detained. The chief of defense announced plans to investigate these incidents and transmitted instructions to comply with the investigation to all commanders in the field in October, one month after the HRW findings were publicized.

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

There was limited progress in the prosecution of the suspects, including coup leader Sanogo, for the forced disappearance, torture, and killing of 21 Red Berets, including former junta member Colonel Youssouf Traore, following a mutiny in 2013 (see section 1.a.).

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

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

According to HRW, armed forces tortured dozens of men that they suspected of supporting Islamist armed groups. The detainees were hogtied, beaten, lashed with belts, burned, and repeatedly threatened with death. Detainees stated that they were routinely denied food, water, and medical care.

For example, according to HRW, on June 23, army and National Guard units based in and around Boni arrested and tortured three traders whom they accused of supporting armed Islamists. The torturers threatened to kill the traders, severely beat them, and held the head of at least one trader to a truck exhaust pipe, resulting in serious and visible burns.

HRW noted allegations of torture by military forces, particularly against members of the Fulani (Peuhl) ethnic group in the central part of the country. In one incident, military personnel arrested 11 local Fulani following attacks in the Mopti

Region during the first half of the year. According to human rights observers, three of the 11 died during detention at the Nampala military base, and others showed signs of torture. As of October authorities had not brought charges against the soldiers reportedly responsible.

The case against a soldier who allegedly raped a 13-year-old girl in August 2014 remained open. The military released the suspect in September 2014 and, at year's end, had not responded to requests by the civilian prosecutor to produce the suspect for trial. Despite the military's lack of cooperation, the prosecutor continued to pursue the case. There was one allegation of sexual exploitation and abuse against a Chadian soldier serving in the UN peacekeeping mission.

There was limited progress in investigations into the 2012 disappearance, torture, and killing of 21 Red Berets (see section 1.a.).

As of November 28, the United Nations received one allegation during the year of sexual exploitation and abuse against a Malian police officer serving with the United Nations Stabilization Mission in Haiti between 2010 and 2011. The allegation of an exploitative relationship was substantiated.

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

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

Physical Conditions: As of October the Bamako Central Prison held 1,964 prisoners in a facility designed to hold 400. Detainees were separated by gender. Detention conditions were better in women's prisons than in those for men. Authorities held pretrial detainees with convicted prisoners. Authorities detained 88 persons arrested on charges related to terrorism in the high-security division of Bamako Central Prison and in Koulikoro. Authorities may hold arrested individuals for up to 72 hours in police stations, where there were no separate holding areas for men, women, or children.

As of October, 34 prisoners and detainees had died. The National Commission for Human Rights (CNDH), a semi-independent entity within the Ministry of Justice,

attributed the deaths to unhealthy prison conditions. Similar to previous years, approximately half of the 34 died from heart attacks; the remainder died from malaria, HIV/AIDS, and dehydration. Inadequate security mechanisms and a general lack of resources prevented authorities from maintaining control of prisons.

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

Administration: Authorities did not use alternative sentencing for nonviolent offenders.

Authorities permitted prisoners and detainees to submit complaints, either directly or through the Office of the Ombudsman of the Republic, to judicial authorities without censorship to request investigation of credible allegations of inhuman conditions. Although prisoners voiced verbal complaints during prison inspections by the CNDH, prisoners filed no formal complaints due to illiteracy, lack of knowledge regarding complaint mechanisms, skepticism regarding the utility of making such complaints, and fear of retaliation. The CNDH, charged with visiting prisons and ensuring humane conditions, visited prisoners in Bamako Central Prison within one week of request. The CNDH did not regularly visit prisons outside of Bamako, and its last visit to a military detention center occurred in 2012. The government's Directorate for National Penitentiary Administration investigated and monitored prison and detention center conditions. Detainees had reasonable access to visitors and could observe their religious practices.

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

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

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

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

Security forces include the National Police, the Malian Armed Forces (FAMA), the National Gendarmerie, National Guard, and the DGSE. FAMA, the National Gendarmerie, and the National Guard are administratively under the Ministry of Defense, although operational control of the National Guard and National Gendarmerie is shared with the Ministry of Internal Security and Civil Protection. Police officers have responsibility for law enforcement and maintaining order in urban areas, while gendarmes have that responsibility in rural areas. The army occasionally performed domestic security operations in northern areas where police and gendarmes were absent. The National Guard has specialized border security units, which were largely ineffective. The responsibilities of the Ministry of Internal Security and Civil Protection include maintaining order during exceptional circumstances, such as national disasters or riots. The DGSE has authority to investigate any case and temporarily detain persons at the discretion of its director general. It usually did so only in terrorism and national security cases.

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

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

The French military counterterrorism operation Barkhane continued. The operation had a regional focus, undertaking counterterrorism activities in Mali, Chad, Burkina Faso, Mauritania, and Niger. Approximately 1,000 French soldiers conducted counterterrorism operations in collaboration with FAMA in northern Mali.

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

A commission of inquiry established in 2014 by the Ministry of Defense investigated security force killings to determine whether they constituted violations of the military code of justice or of criminal law. The commission referred cases involving human rights abuse to the prosecutor general for criminal trial. By year's end, however, the commission had completed no investigations into alleged human rights abuses committed by soldiers redeployed to the north.

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

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

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

Arbitrary Arrest: HRW documented the detention of 114 men, primarily ethnic Fulani, by security forces in central Mali between December 2016 and June. The detainees were held because security forces suspected them of supporting Islamist armed groups. Most were released because of insufficient evidence after their



cases were reviewed in Bamako by the Special Judicial Cell to Combat Terrorism and Transnational Organized Crime.

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

Pretrial Detention: The law provides for trial for charged detainees within three months for misdemeanors and one year for felonies, but lengthy pretrial detention was a problem. Judicial inefficiency, the large number of detainees, corruption, and staff shortages contributed to the problem. Individuals sometimes remained in prison for several years before their cases came to trial. Approximately 70 percent of inmates awaited trial.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The law allows detainees to challenge the legal basis or arbitrary nature of their detention in court. Individuals were generally released promptly if they won the challenge, but the law does not provide for compensation or recourse against the government.

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

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

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

#### **Trial Procedures**

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

Defendants have the right to communicate with an attorney of their choice (or to have one provided at public expense in felony cases and those involving minors). When a court declares a defendant indigent, it provides an attorney at public expense and the court waives all fees. Administrative backlogs and an insufficient number of lawyers, particularly in rural areas, often prevented prompt access. Defendants and their attorneys have the right to adequate time and facilities to prepare a defense, access government-held evidence, confront witnesses, and present one's own witnesses and evidence. The government generally respected these rights. Defendants may not be compelled to testify against themselves or confess guilt and may appeal decisions to the Appellate Court and the Supreme Court. The law extends these rights to all citizens.

### **Political Prisoners and Detainees**

There were reports of political prisoners or detainees.

According to MINUSMA, authorities used warrants to arrest and detain 89 persons during the year in connection with the conflict in the northern and central parts of the country. As of July 31, 239 individuals arrested on terrorism charges remained in detention in State owned facilities. Some of those detained were believed to be political prisoners. The government typically detained conflict-related prisoners in higher-security facilities within prisons and provided them the same protection as other prisoners. International human rights and humanitarian organizations had access to most of these centers, but not to detainees held in facilities operated by the DGSE.

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

Individuals and organizations may seek civil remedies for human rights violations. They may appeal their cases to the Economic Community of West African States' Court of Justice and the African Court on Human and Peoples' Rights. In cases of

traditional slavery, there were reports that civil court orders were sometimes difficult to enforce.

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

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

#### **g. Abuses in Internal Conflicts**

The formerly separatist forces including the MNLA, HCUA, and MAA; northern militias that shared interests with the government including GATIA; and extremist organizations including JNIM, AQIM, the Macina Liberation Front, and al-Murabitoun, committed serious human rights abuses in the northern and central regions. These included arbitrary killings, abuse, and disappearances. Most military abuses targeted Fulani, Tuareg, and Arab individuals and were in reprisal for attacks attributed to armed groups associated with those ethnicities. Jihadist groups, the CMA alliance of the MNLA, HCUA, and MAA, and militias in the Platform, such as GATIA, held hostages and used child soldiers. On August 11, nine child soldiers identified among GATIA members following a week of clashes between CMA and GATIA were identified as victims and handed over to MINUSMA in Kidal.

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

Ethnic Fulani in the central Mopti and Segou regions reported abuse by government forces. According to Human Rights Watch, on January 21, soldiers allegedly executed three Fulani men taken into custody in the village of Yirma. Human Rights Watch also documented several cases of torture or severe mistreatment of detainees during the year. Most military abuses that targeted Fulani, Tuareg, and Arab persons were in reprisal for attacks attributed to armed groups associated with those ethnicities.

Attacks by armed groups that signed the 2015 accord were sporadic and localized for much of the year. In July and August, battles between different tribal groups in the Menaka area included attacks that targeted civilians. The most serious fighting

occurred in July, in the Kidal Region, between CMA and GATIA/Platform forces and resulted in the deaths of more than 100 persons, including civilians.

Terrorist groups continued their activities in the northern and central parts of the country. In August Aliou Mahamar Toure, former chief of the “Islamic Police of Gao” during the 2012 occupation and member of the Movement for the Unity of Jihad in West Africa (MUJAO), was convicted and sentenced to 10 years in prison for terrorism, torture, illegal possession of weapons and attack on internal security. Impunity for serious crimes committed in the north continued, however, including for crimes carried out by terrorist groups.

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

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

Unidentified individuals or groups were responsible for many attacks. For example, on February 11, unidentified armed individuals killed a Bambara shopkeeper near the town of Ke-Macina in the Segou region.

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

Numerous attacks on MINUSMA peacekeepers resulted in deaths and injuries. As of October 30, 23 MINUSMA peacekeepers had been killed during the year. On August 14, one Togolese peacekeeper died and one was injured as a result of an attack on their camp in Douentza. On the same day two other MINUSMA peacekeepers were seriously injured during an attack on the MINUSMA camp in Timbuktu. Ansar al-Dine claimed responsibility for the attacks.

Abductions: On February 7, JNIM forces kidnapped a Colombian missionary, Cecilia Narvaez Argoti, in Koutiala, in the south; she remained in captivity at year’s end. Amadou Djoum, a Malian civil servant, who was captured on April 25 by MLF in the central region, was released on September 14 after 128 days of captivity. In October, JNIM released a video of 11 soldiers in captivity.

On July 24, the MLF kidnapped an imam in the region of Mopti for preaching for peace, unity, and national reconciliation. The imam remained in captivity at year's end.

Child Soldiers: In 2013 the government and the United Nations signed a protocol agreement to protect children associated with armed conflict. The protocol established a procedure to transfer such children to an interim care center operated by UNICEF. At year's end the interim care center remained open and hosted 11 former child soldiers, while authorities reportedly had reunited several other detained children with their families.

With the support of MINUSMA, in 2013 MAA and MNLA leaders signed an agreement prohibiting the recruitment of children and allowing MINUSMA to screen their troops in September 2014. No subsequent official screenings occurred, and MINUSMA continued to observe children in the ranks of the CMA, the umbrella organization that includes the MAA and MNLA.

According to MINUSMA, between January and August, GATIA recruited at least nine children. The children, between the ages of 15 and 17, were identified by CMA combatants following the July clashes with GATIA in the Kidal region. The children were transferred to the ICRC and MINUSMA on August 11.

Despite the government's 2013 interministerial protocol that requires authorities to direct former child soldiers to rehabilitation centers, at least seven children remained in state-run detention facilities, including adult prisons, for association with armed groups; some of the children had been in detention since 2014. An international organization identified and referred to the National Directorate for the Promotion of Children and Families four former child combatants for care. The former child combatants were associated with GATIA and aged 14 to 17. Contrary to government protocol, the directorate transferred the four former child combatants back to a government official with ties to GATIA to facilitate family reintegration. It is unclear if the children were reunited with their families.

Most children recruited were boys, but reports indicated girls might also have been recruited and later forced to serve as sex slaves.

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

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

In April members of Ansar al-Dine kidnapped four ICRC workers north of the city of Kidal in retaliation for the arrests of several terrorism suspects by members of Barkhane, the French military counterterrorism operation. The ICRC workers were released the day after Barkhane freed the terror suspects.

On April 29, unidentified assailants attacked a Danish Refugee Council convoy between Dorey and N'Tillit, injuring three humanitarian workers.

On August 22, unidentified assailants attacked a convoy of the Office for the UN High Commissioner for Refugees (UNHCR), injuring two UN humanitarian staff, in the central region. UNHCR's field office head and driver sustained gunshot and shrapnel injuries after their UN-marked vehicle was attacked on the Timbuktu airport road.

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

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

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

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

Freedom of Expression: In June Amara Sidibe, a civil society leader in Bamako, claimed he was threatened for criticizing the constitutional reform effort initiated by the government. The threats were reportedly made by telephone, through intermediaries, and on the street.

Press and Media Freedom: A 2000 press law imposes fines and prison sentences for defamation. It also criminalizes offenses such as undermining state security, demoralizing the armed forces, offending the head of state, sedition, and consorting with the enemy. On April 5, Ammy Baba Cisse, editor of newspaper *Le Figaro du Mali*, was sentenced by the Commune I tribunal to six months' imprisonment in a defamation case brought against him by president of the National Assembly Issiaka Sidibe.

The Malian High Authority for Communications began more strictly enforcing media licensing regulations. Since the 1990's, private media outlets operated without completing proper licensing procedures. Throughout the year the High Authority for Communications began enforcing regulations and granted official permission to several of these unlicensed television and radio channels to begin broadcasting, while forcing other channels to close for noncompliance with regulations.

Journalists continued to use the pretext of “transportation money” and “per diem” to solicit extra payment in exchange for better media coverage. This was in large part a result of media outlets being underfinanced, resulting in journalists receiving inadequate salaries.

In January a journalist working in Djenne, Mopti Region, reported receiving death threats via text messages from an unknown sender due to his radio presentation on reducing the risk of Islamic radicalization among youth.

The government restricted radio broadcasting based on operating without proper licensing. For instance, on June 12, in advance of a planned June 17 demonstration against constitutional revisions, the government announced the closure of 48 radio stations for operating without a license.

The government continued investigating radio host Mohamed Youssouf Bathily, known as Ras Bath, for “demoralizing the armed forces” and other charges. His supporters claimed the charges were politically motivated. On July 25, Bathily was given a suspended sentence of one year's imprisonment. No arrest warrant was issued. He was not detained and he appealed the decision. Bathily was acquitted on November 27.

Violence and Harassment: On July 25, activist blogger Madou Kante was shot in the chest and injured while driving in Bamako. Kante was well known for denouncing corruption, nepotism, and political and religious leaders in his YouTube column.

Throughout the year, there were regular reports of journalists receiving death threats from unknown sources. In the north journalists continued to face sporadic threats and attacks from extremist groups. In many cases journalists were targeted because they reported critically on the possible constitutional referendum and the upcoming 2018 general elections.

## **Internet Freedom**

In June authorities blocked internet social networks, including Facebook and Twitter, due to protests against President Keita's project to revise the 1992 constitution. The government restored access to the sites a few days later.

There were no credible reports the government monitored private online communications without appropriate legal authority. There were numerous internet cafes in Bamako, but home internet access remained limited due to the expense. Outside Bamako access to the internet was very limited. According to the International Telecommunication Union, approximately 11 percent of residents used the internet in 2016.

## **Academic Freedom and Cultural Events**

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

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

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

The constitution and law provide for freedom of assembly, but the government did not always respect this. The government used social media restrictions to disrupt activists' ability to organize (see section 2.b). Despite internet restrictions, between June and August, four peaceful protests numbering between 5,000 and 35,000 demonstrators occurred without interference from security forces. The protestors sought to voice opposition to a controversial constitutional referendum proposed by President Keita, which they viewed as granting additional powers to the presidency.

#### **Freedom of Association**

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

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



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

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

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

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

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

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

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

UNHCR reported 58,600 internally displaced persons (IDPs) in Mali as of September and 142,386 Malian refugees in the neighboring countries of Burkina Faso, Mauritania, and Niger. Humanitarian access in the north generally improved following the June 2015 signing of the Peace Accord, although insecurity related to terrorism and banditry were a growing challenge in much of the country.

The Ministry of Internal Security and Civil Protection registered IDPs, and the government assisted them. IDPs generally lived with relatives, friends, or in rented

accommodations. Most IDPs resided in urban areas and had access to food, water, and other forms of assistance. As many as half of all displaced families lacked official identity documents needed to facilitate access to public services, including schools for children, although identification was not required for humanitarian assistance. Aid groups provided humanitarian assistance to IDPs residing in the south and north as access permitted.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. A national committee in charge of refugees operated with assistance from UNHCR. According to UNHCR, at the beginning of the year, there were 17,512 registered refugees and 301 asylum seekers residing in the country--the majority of whom were Afro-Mauritanian refugees expelled from Mauritania in 1989 and their children. At a meeting between UNHCR and ministers from the Economic Community of West African States, the government committed itself to assisting all Mauritanian refugees who wished to integrate locally with a declaration of intention to facilitate their naturalization. In March 2015 the government issued birth certificates to nearly 8,000 refugee children born in the country as part of its commitment to facilitate local integration for Afro-Mauritanian refugees, allowing them to access public services, sign employment contracts, buy and sell land, set up companies, and borrow from banks.

As of August 31, there were 142,386 Malian refugees registered in neighboring Burkina Faso, Mauritania, and Niger. New refugee arrivals continued to increase throughout the year due to the conflict and violence in Mali. Despite security challenges, the government reported 60,373 Malian refugees had returned to Mali from neighboring countries as of August.

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

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

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

### **Elections and Political Participation**

Recent Elections: In 2013 President Ibrahim Boubacar Keita won the presidential election, deemed free and fair by international observers. Legislative elections also occurred in 2013, and independent domestic and international observers characterized them as credible and transparent. In the areas where they were conducted, communal elections held in 2016 were largely considered free and fair. Security concerns in some northern and central areas prevented the holding of communal elections in 58 of the country's 703 communes.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate. Cultural factors, however, limited women's political participation. A law passed in November 2015 requires that at least 30 percent of the slots on party election lists be reserved for female candidates and that 30 percent of high-level government appointees be women. The law was not fully implemented by year's end. There were only 13 women in the 147-member National Assembly and only eight women in the 34-seat cabinet led by Prime Minister Abdoulaye Idrissa Maiga. There were four women on the 33-member Supreme Court and two women on the nine-member Constitutional Court, including the head of the court.

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

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

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

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt

practices with impunity. There were numerous reports of government corruption during the year.

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

President Keita's office released the general audit of the country's 2015 report on government waste, fraud, and abuse on October 11. The director general of customs and the head of the government office of petroleum products were among the department heads whose agencies were reported to have lost billions of dollars in taxpayers' money in 2015. It appears the president released the report only after donors, including the EU and Canada, pressured the government to do so.

Financial Disclosure: The constitution requires the president, prime minister, and other cabinet members to submit annually a financial statement and written declaration of their net worth to the Supreme Court. The Court of Accounts, a section within the Supreme Court, is responsible for monitoring and verifying financial disclosures. There are no sanctions for noncompliance. The Court of Accounts requires officials to identify all assets and liabilities when they start and complete their terms and provide yearly updates throughout their tenure. Officials are not required to submit disclosures for their spouses or children. The agency responsible for receiving financial disclosures was not operational by year's end, and few officials had filed. In 2014 President Keita submitted his annual financial statement and written declaration of net worth to the Supreme Court, although he filed no subsequent financial updates. Although the constitution calls for financial filings to be public, they were not released.

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

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

Government Human Rights Bodies: The CNDH is an independent institution funded by the Ministry of Justice. The government continued to provide the

commission with a headquarters and small staff. Other human rights organizations criticized the CNDH as ineffective and lacking autonomy. They stated the Ministry of Justice had too much control over the CNDH budget and the commission's large membership, which included several state representatives, impaired its ability to produce honest critiques of the government.

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

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

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

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

### **Women**

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

Domestic violence against women, including spousal abuse, was prevalent. Most cases went unreported. Spousal abuse is a crime, but the law does not specifically prohibit domestic violence. Assault is punishable by prison terms of one to five years and fines of up to 500,000 CFA francs (\$919) or, if premeditated, up to 10 years' imprisonment. Police were reluctant to intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands because they feared husbands would interpret such allegations as grounds for

divorce, were unable to support themselves financially, sought to avoid social stigma, or feared retaliation or further ostracism. The governmental Planning and Statistics Unit, established to track prosecutions, did not produce reliable statistics.

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

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

For more information, see [data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/](http://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/).

Sexual Harassment: The law does not prohibit sexual harassment, which routinely occurred, including in schools, without any government efforts to prevent it.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: [www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/).

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

While the law provides for equal property rights, traditional practices and ignorance of the law prevented women from taking full advantage of their rights. The marriage contract must specify if the couple wishes to share estate rights. If

marriage certificates of Muslim couples do not specify the type of marriage, judges presume the marriage to be polygynous.

Women experienced economic discrimination due to social norms that favored men, and their access to education and employment was limited (see section 7.d.).

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

## **Children**

Birth Registration: Citizenship is derived from either parent or by birth within the country.

The government did not register all births immediately, particularly in rural areas.

Education: The constitution provides for tuition-free universal education, and the law provides for compulsory schooling from ages six through 15. Nevertheless, many children did not attend school. Parents often had to pay their children's school fees as well as provide their uniforms and supplies. Girls' enrollment was lower than that of boys at all levels due to poverty, cultural preference to educate boys, early marriage of girls, and sexual harassment of girls.

The conflict resulted in the closure of schools in the regions of Gao, Kidal, Timbuktu, Mopti, and Segou, and many schools were damaged or destroyed because rebels sometimes used them as bases of operations. Jihadist groups threatened teachers and communities causing, as of April, the closure of 507 schools during the 2016-17 school year. This trend was particularly pronounced in the center of the country, where the number of schools closed in Mopti Region increased from 111 to 266 between May 2016 and June.

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

Early and Forced Marriage: The minimum age to marry without parental consent is 16 for girls and 18 for boys. A 15-year-old girl may marry with parental consent if a civil judge approves. Authorities did not effectively enforce the law.

According to 2010 data from UNFPA, 55 percent of women between ages 20 and 24 were married by age 18. For additional information, see Appendix C.

According to local human rights organizations, judicial officials frequently accepted false birth certificates or other documents claiming girls below age 15 were old enough to marry. NGOs implemented awareness campaigns aimed at abating child marriage.

Sexual Exploitation of Children: Sexual exploitation of children occurred. The law prohibits the sexual exploitation of children, including prostitution. Penalties for conviction of the sexual exploitation of both adults and children are six months to three years in prison and a fine of between 20,000 and one million CFA francs (\$37 and \$1,838). Penalties for convicted child traffickers are five to 20 years in prison. Penalties for indecent assault, including child pornography, range from five to 20 years in prison. The country has a statutory rape law that defines 18 as the minimum age for consensual sex. The law, which was inconsistent with the legal minimum marriage age of 15 for girls, was not enforced. The Division for Protection of Children and Morals of the National Police conducted sweeps of brothels to assure that individuals in prostitution were of legal age and arrested brothel owners found to be holding underage girls.

Child Soldiers: See section 1.g.

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

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html).

## **Anti-Semitism**

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

## **Trafficking in Persons**



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

### **Persons with Disabilities**

The constitution and law do not specifically protect the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or in the provision of other state services. There is no law mandating accessibility to public buildings. While persons with disabilities have access to basic health care, the government did not place a priority on protecting the rights of persons with disabilities, and few resources were available. Many such individuals relied on begging.

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

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

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

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

There were continued reports of slave masters kidnapping the children of their Bellah slaves, who had no legal recourse. Slave masters considered slaves and their children as property and reportedly took slave children to raise them elsewhere without permission from their parents. The antislavery organization Temedt organized workshops throughout the country to convince communities to

abandon the practice of keeping slaves. The government has taken no action to establish punishment for practicing slavery.

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

For example, on June 17-18, in Koro, Mopti Region, attacks by Dogon and Fulani resulted in 20 to 30 deaths. On August 2, reprisal clashes between Dogon hunters and Fulani herders in Koro resulted in at least 20 deaths. A delegation from the Ministries of Solidarity and Humanitarian Action, National Reconciliation, and Territorial Administration visited the area to encourage dialogue and reconciliation.

According to MINUSMA, conflict in May between Fulani and Bambara communities in the Mopti and Segou regions displaced approximately 800 Fulani civilians.

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

The law prohibits association “for an immoral purpose.” There are no laws specifically prohibiting discrimination based on sexual orientation or gender identity. There were no known LGBTI organizations in the country, although some NGOs had medical and support programs focusing specifically on men having sex with men. The law prohibits lesbians and gay men from adopting children.

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

For example, France 24, a French news channel, reported on a social media trend gaining momentum during the summer in which social media groups and web

pages posted photos meant to identify and humiliate members of the Malian LGBTI community. Some of the posts also advocated for violence, calling on their followers to kill or assault persons suspected of being gay.

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

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

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

Mob violence remained a problem. For example, in April 2016 a mob destroyed the city of Kidal's only airport during a protest against the presence of international forces in the city. The attackers were reportedly angered by French arrests of persons accused of terrorism. Violent anti-French protests flared up again in September following more arrests, restricting French forces from entering the city of Kidal. The airport remained closed.

Discrimination continued against albinos. Muslim religious leaders known as *marabouts* perpetuated the widespread belief that albinos possessed special powers that others could extract by bringing a marabout the blood or head of an albino. The albino rights organization run by prominent Malian singer Salif Keita noted that men often divorced their wives for giving birth to an albino. The lack of understanding of albinism contributed to albinos' lack of access to sunblock, without which they were highly susceptible to skin cancer.

## **Section 7. Worker Rights**

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

All workers--except members of the armed forces, certain civil servants, and public employees such as judges and officials--have the right to form and join independent unions, bargain collectively, and conduct strikes. There are restrictions imposed on the exercise of these rights. The law provides that workers must be employed in the same profession before they may form a union. A worker may remain a member of a trade union only for a year after leaving the relevant function or profession. Members responsible for the administration or management of a union must reside in the country and be free of any convictions

that could suspend their right to vote in national elections. The government may deny trade union registration on arbitrary or ambiguous grounds.

The minister of labor has the sole authority to decide which union is representative for sectorial collective bargaining and to approve sectorial collective agreements. Employers have the discretionary right to refuse to bargain with representative trade unions. The law allows all types of strikes and prohibits retribution against strikers. For strike action to be lawful, the parties to a dispute must exhaust the mandatory conciliation and arbitration procedures set out in the labor code. Regulations require civil servants and workers in state-owned enterprises to give two weeks' notice of a planned strike and to enter into mediation and negotiations with the employer and a third party, usually the Ministry of Labor and Public Service. The law does not allow workers in "essential services" sectors to strike, and the minister of labor can order compulsory arbitration for such workers. The law defines "essential services" as being services whose interruption would endanger the lives, personal safety, or health of persons, affect the normal operation of the national economy, or affect a vital industrial sector. For example, the law requires striking police to maintain a minimum presence in headquarters and on the street. The government, however, has not identified a list of essential services. Participation in an illegal strike is punishable by harsh penalties, including dismissal and loss of other rights except wages and leave. Civil servants exercised the right to strike during the year.

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

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

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

The law prohibits all forms of forced or compulsory labor, but forced labor occurred. The law prohibits the contractual use of persons without their consent, and penalties include fines and imprisonment with compulsory hard labor. Penalties can double if a person under age 15 is involved. Penalties were seldom enforced and therefore were not sufficient to deter violations. According to NGOs, the judiciary was reluctant to act in forced labor cases. The government made little effort during the year to prevent or eliminate forced labor, although it did allocate initial funding to its antitrafficking action plan. Following a 2014 national conference on the artisanal mining sector, the government established a commission that met twice monthly to develop measures to more effectively combat violations in the sector, including forced labor.

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

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

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

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

In June the labor code was revised to set the minimum age for employment at 15. No child may work more than eight hours per day under any circumstance. Although the government’s Hazardous Occupations List prohibits certain activities by children under age 18, the law permits children ages 16 or 17 to perform certain hazardous activities as long as they receive adequate specific instruction or vocational training in the relevant field of activity. The law conflicts with the protections provided in the Hazardous Occupations List, leaving the possibility for children to work in hazardous activities. Girls between ages 16 and 18 may not

work more than six hours per day. The law applies to all children, including those who work in the informal economy and those who are self-employed.

Responsibility for enforcing child labor laws is shared between the Ministry for the Promotion of Children and Women through the National Committee to Monitor the Fight against Child Labor, the Ministry of Justice through different courts, the Ministry of Security through the Morals and Children's Brigade of the National Police, the National Social Security Institute through its health service, and the Ministry of Labor and Public Service through the Labor Inspectorate. Interagency coordinating mechanisms were ineffective, inefficient, and cumbersome.

Authorities often ignored child labor laws or did not effectively enforce applicable laws. Resources, inspections, and remediation were not adequate, and the penalties for violations were not sufficient to deter violations.

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

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

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

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

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

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

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

The labor law prohibits discrimination in employment and occupation based on race, gender, religion, political opinion, nationality, or ethnicity, but not that based on age, disability, language, sexual orientation, gender identity, social status, HIV-positive status, or having other communicable diseases. The government's Labor Inspection Agency is responsible for investigating and preventing discrimination based on race, gender, religion, political opinion, nationality, or ethnicity, but the law was not effectively enforced. Penalties were insufficient to deter violations. Discrimination in employment and occupation occurred with respect to gender, sexual orientation, disability, and ethnicity (see section 6). The government was the major formal sector employer and ostensibly paid women the same as men for similar work, but differences in job descriptions permitted pay inequality. There were cases where employers from southern ethnic groups discriminated against individuals from northern ethnic groups.

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

The minimum wage is 40,000 CFA francs (\$73) per month, but it did not apply to workers in the informal and subsistence sectors, which included the majority of workers. The minimum wage is above the poverty income level; according to the National Institute of Statistics, the poverty line in the country is 175,000 CFA francs (\$319) per year.

The government supplemented the minimum wage with a required package of benefits, including social security and health care. In January the government increased the salaries of public sector workers after coming to an agreement with the largest national workers' union, the National Workers' Union of Mali. In August banks and insurance companies also increased their employees' salaries.

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

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

The Ministry of Labor and Public Service did not effectively enforce these standards, and the few inspectors it employed lacked the resources to conduct field investigations. Many employers did not comply with regulations regarding wages, hours, and social security benefits. The ministry did not conduct any inspections in the eastern and northern regions, where the government has suspended services since the 2012 occupation of those regions by terrorist organizations. Penalties were insufficient to deter violations, and no government agencies provided information on violations or penalties. Labor inspectors made unannounced visits and inspections to work sites only after labor unions filed complaints.

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