

MALI 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Mali, a constitutional democracy, reelected President Ibrahim Boubacar Keita to a second five-year term in August 2018. International observers deemed the elections to have met minimum acceptable standards despite some irregularities and instances of violence. Parliamentary elections, originally scheduled for October 2018, were further delayed from June 2019 until at least May 2020, ostensibly to allow time to enact constitutional and electoral reforms.

Security forces include the National Police, the Malian Armed Forces (FAMA), the National Gendarmerie, the National Guard, the General Directorate of State Security (DGSE), and the National Penitentiary Administration (DNAPES). 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. Civilian authorities did not always maintain effective control over the civilian and military security forces.

As of November 6, the Coordination of Movements of Azawad (CMA), a signatory to the Algiers Accord for Peace and Reconciliation, had withdrawn from the national dialogue aimed at implementing the 2015 accord. The CMA signed the accord with the Malian government in 2015, as did the Platform of Northern Militias (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). The CMA's withdrawal, which occurred on September 25, came in response to comments by President Keita that parts of the already signed Algiers Accord could be revisited in the context of the national dialogue. In July the government assisted in brokering signed agreements to "cease hostilities" between a dozen armed

groups of the Dogon and Fulani ethnic communities. Intercommunal violence between nomadic Fulani herders and Dogon farmers and hunters increased in the first half of the year, and internal displacement throughout central Mali has more than quadrupled since January 2018.

Significant human rights issues included: reports of unlawful or arbitrary killings, including extrajudicial killings, by both government and nonstate actors; forced disappearance by government forces; torture by government forces; arbitrary detention by government forces; harsh and life-threatening prison conditions; the existence of criminal libel laws; substantial interference with the right of peaceful assembly; significant acts of corruption; unlawful recruitment and use of child soldiers by nongovernmental armed groups, some of which received support from the government; crimes involving violence against national and ethnic minorities; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex (LGBTI) persons; violence against women and children, which was rarely investigated; slavery and trafficking in persons; and the disregarding of workers' rights through the use of exploitative labor, including child labor.

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 continued to be a problem. The 2012 coup leader Amadou Sanogo, first arrested in 2013, remained under arrest awaiting trial. Sanogo's trial began in Sikasso in 2016, but the presiding judge accepted a defense motion to delay the trial until 2017. The case remained pending at the Court of Appeals, awaiting results of a DNA analysis. Impunity for serious crimes committed in the country's North and Center continued with few exceptions. On September 30, the International Criminal Court (ICC) decided there was sufficient evidence for Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud to stand trial on charges including torture, rape, sexual slavery, and deliberately attacking religious buildings and historic monuments. Al Hassan had been transferred by the government to the ICC following a year of local detention in response to an ICC arrest warrant for war crimes and crimes against humanity related to the 2012 occupation of Timbuktu by al-Qa'ida in the Islamic Maghreb (AQIM) and Ansar Dine ("Defenders of the Faith").

Ethnic militias committed serious human rights abuses, including summary executions, targeted killings, the destruction of homes and food stores, and the burning of entire villages. Despite the 2015 Algiers Accord for Peace, elements within the Platform--including GATIA, MAA-PF, and the CMFPR--and elements

in the CMA--including the National Movement for the Liberation of the Azawad (MNLA), the High Council for the Unity of Azawad (HCUA), and the Arab Movement of Azawad (MAA)--committed serious human rights abuses, including summary executions, torture, and the recruitment and use of child soldiers. Extremist groups, including affiliates of the Islamic State in the Greater Sahara (ISGS) and the al-Qa'ida coalition Jama'at Nasr al-Islam wal Muslimin (translated as the Group to Support Islam and Muslims, JNIM), neither of whom are parties to the peace process, kidnapped and killed civilians and military force members, including peacekeepers.

The French military counterterrorism operation, Operation Barkhane, continued. The operation had a regional focus, undertaking counterterrorism activities in Mali, Chad, Burkina Faso, Mauritania, and Niger. Together, those five countries comprise the G5 Sahel, an alliance through which the countries coordinate security, counterterrorism, and development policies. Approximately 2,500 soldiers conducted counterterrorism operations in collaboration with the FAMA in northern Mali. The government, in collaboration with French military forces, conducted counterterrorism operations in northern and central Mali leading to the detention of extremists and armed group elements accused of committing crimes. Accusations against Chadian peacekeepers from the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)--including accusations of killings, abductions, and arbitrary arrests in the Kidal region in 2016--remained unresolved. Reports of abuses rarely led to investigations or prosecutions.

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.).

The MINUSMA Human Rights Division reported that in March, 11 individuals suspected of terrorist activities were arrested and killed in the town of Mondoro, Mopti region, by the FAMA. According to UN interviews, on April 24, an armed forces escort unit arrested four individuals on the Gossi-Gao axis. One of the four detainees managed to escape, while the other three were taken to the locality of Intahaka, Gao Region, where they were summarily executed and their bodies burned. The government admitted soldiers had been involved in extrajudicial killings following a crackdown on suspected jihadists and allegedly allied ethnic

militias. Fulani associations accused the FAMA of executing 25 Fulani civilians in June 2018, in the Mopti Region. During the same month, the army reportedly killed 10 suspected militants in Karakinde. Investigations regarding these incidents ordered by the Ministry of Defense were still ongoing. Investigations into reported executions by the FAMA, including the reported killing of 12 civilians at the Boulikessi livestock market on May 19, 2018, also remained ongoing.

Signatory armed groups, ethnic militias, and violent extremist groups committed numerous arbitrary killings related to internal conflict.

Clashes between ISGS and a government and French Operation Barkhane-supported coalition of the Movement for the Salvation of Azawad and GATIA (MSA-GATIA) killed numerous civilians in the Menaka and Kidal regions. On July 27, clashes between CMA and Platform fighters in the city of Lerneb at the Mauritanian border killed eight civilians. The MSA-GATIA coalition reportedly received equipment and other logistical support from the government and French Barkhane forces during this period.

Terrorist elements, including JNIM affiliates, launched frequent attacks, killing civilians as well as national and international security force members. On March 17, JNIM attacked a military camp in Dioura, Mopti region, killing 23 soldiers. A French Operation Barkhane vehicle struck an improvised explosive device (IED) in Foulseré, Mopti region, on April 2, killing a French military doctor. On April 21, an alleged jihadist attack on the military base of Guire, Koulikoro region, killed 10 FAMA soldiers. On September 30, near the Burkina Faso border, simultaneous attacks on a FAMA post in Mondoro and a joint FAMA-G5 Sahel Joint Force base in Boulikessi by groups presumed to be terrorist elements left at least 38 FAMA soldiers dead, 17 wounded, and as many as 27 missing, according to the government's mid-October reports. JNIM claimed responsibility for the attack. According to MINUSMA's May 31 quarterly report to the UN Security Council, during the reporting period, at least 245 incidents occurred in which 333 civilians were killed and 175 injured and 145 civilians were abducted. While the number of incidents was down from 267 in the previous quarterly reporting period, the number of casualties was up from 225.

Attacks by bandits and Islamist extremist groups continued to reach beyond the traditional conflict zone in the North to the Mopti and Segou regions in the central part of the country. These attacks targeted civilians as well as government and international security force members. For example, JNIM claimed responsibility

for an April 20 incident in which an IED struck a MINUSMA convoy between Douentza and Boni in the Mopti region, killing one Egyptian peacekeeper and injuring four others. On September 26, the government reported that seven soldiers had been killed between Douentza and Sevare, Mopti region, when a military convoy struck an IED and was ambushed by an armed group. IEDs are utilized to target FAMA soldiers, MINUSMA convoys, and civilians alike. On September 3, an IED struck a civilian bus in Mopti, leaving 14 persons dead and 24 wounded. JNIM later issued an apology stating it regretted the deaths of “our brothers and sons” and that the IED was intended for the “French occupier and its acolytes.” The most recent report of an IED was November 2, when a French Operation Barkhane soldier was killed near Menaka, near the Mali-Niger border).

There was limited progress in the prosecution of suspects--including coup leader Sanogo--in the 2012 disappearance, torture, and killing of 21 Red Berets (members of FAMA’s 33rd Parachute Regiment), including former junta member Colonel Youssouf Traore. The case was initially brought to trial in 2016. Following a defense objection to the admissibility of DNA evidence, however, the trial remained suspended pending new DNA analysis. Sanogo remained incarcerated after a court rejected on September 16 a motion filed by his attorneys to grant him provisional release.

On February 26, unidentified assailants killed a man and booby-trapped his body in Diankabou town, Mopti region, killing 17 civilians. According to the MINUSMA Human Rights Division, following an attack in the Mondoro area in March, FAMA soldiers executed 11 Fulani men whom FAMA accused of supporting armed Islamists. On July 6, armed individuals kidnapped, shot, and killed a Muslim cleric in the town of Inadiatafane in the Timbuktu region.

b. Disappearance

There were several reports of forced disappearances believed to have been carried out by extremist groups. Throughout the year, human rights organizations and the media repeatedly reported numerous cases of forced disappearance in the central and northern regions of the country. For example, the MINUSMA Human Rights and Protection Division reported the March 15 forced disappearance of Boura Modi Diallo, chief of the village of Boulikessi, Mopti region, by unidentified armed individuals.

According to the United Nations, on June 18, unidentified armed individuals attacked the Dogon villages of Yoro and Gangafani in the Mopti region and killed

at least 24 persons in Yoro and 17 in Gangafani. The government released a statement condemning the attacks. Foreign governments and several human rights organizations, including the National Commission for Human Rights (CNDH) and the Malian Association for Human Rights (AMDH), called for impartial and independent investigations. Investigations ordered by the Ministry of Justice and Human Rights were ongoing.

In its most recent annual report, Human Rights Watch (HRW) reported dozens of summary executions in counterterrorism operations. Malian soldiers subjected numerous others to forced disappearances and mistreatment. As of April, the Ministry of Defense had issued prosecution orders for allegations of extrajudicial killings, torture, and complicity in 2018 by the FAMA in the towns of Boulikessi, Nantaka, and Kombaga.

Human rights observers were unable to verify the whereabouts of dozens of prisoners purportedly detained in connection with the northern conflict. This may have been due to possible unreported deaths in custody, alleged surreptitious releases, and suspected clandestine transfer of prisoners to the government's intelligence service, the DGSE. Limited capacity actively and accurately to keep up with case management exacerbated the difficulty in locating individuals within the country's penal system. Human rights organizations estimated the DGSE held at least 60 unacknowledged detainees. Following CNDH's advocacy, cases involving at least 23 inmates were transferred to the justice system.

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 reports indicated that FAMA soldiers employed these tactics against individuals with suspected links to extremist groups, including JNIM-affiliated member groups, such as JNIM (see section 1.g.). In October, HRW reported that soldiers had bound and restrained suspected militants in a manner that resulted in injury and, in some cases, amputation.

Prison and Detention Center Conditions

Overcrowding and inadequate sanitary conditions and medical care caused prison conditions to be harsh and life threatening. The government took steps to improve staff training and physical security measures. A nine-billion-CFA (\$16.5 million) construction project for a new prison in Kenieroba, 30 miles south of Bamako, was

ongoing. The prison was designed to hold 2,500 inmates and to meet international standards for detainees' human rights.

Physical Conditions: As of August, the Bamako Central Prison held 5,966 prisoners in a facility designed to hold 400, doubling last year's inmate numbers, likely as a result of population growth, staffing shortages, and a magistrate's strike. Detainees were separated by gender and general offense type (terrorist vs. criminal). Detention conditions were better in women's prisons than in those for men. Authorities held pretrial detainees with convicted prisoners. Authorities detained 230 persons arrested on charges related to terrorism in the high-security division of Bamako Central Prison and in Koulikoro. The general security situation and the growing population of Bamako exacerbated already poor prison conditions by increasing the numbers of pretrial detainees and preventing the release of prisoners who had completed their sentences. Gendarmerie and police detention centers were at maximum capacity at year's end. Authorities may hold arrested individuals for up to 72 hours in police stations, where there were no separate holding areas for women and children.

As reported by the Prison Administration, as of August, 13 prisoners and detainees had died in custody from heart attacks during the year. The CNDH, an independent entity that receives administrative and budgetary assistance from the Ministry of Justice, attributed the deaths to unhealthy prison conditions. Inadequate security mechanisms and a general lack of resources limited the ability of authorities to maintain control of prisons.

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

Administration: There were no prison ombudsmen. Authorities, however, permitted prisoners and detainees to submit complaints, either directly through the CNDH or through the Office of the Ombudsman of the Republic, to judicial authorities in order to request investigation of credible allegations of inhumane conditions. Prisoners made verbal complaints during prison inspections by the CNDH and filed formal complaints on their detention conditions. The CNDH, charged with visiting prisons and ensuring humane conditions, visited prisoners in Bamako Central Prison within one week of request. The CNDH frequently visited prisons outside of Bamako, although its last visit to a military detention center

occurred in 2012 despite several requests to visit. 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 Bamako. Human rights observers with MINUSMA and the International Committee of the Red Cross (ICRC) regularly visited detention centers holding CMA and Platform members. Since January, ICRC officials visited 17 prisons in the country, including Bamako, Koulikoro, Mopti, Timbuktu, Gao, and Kidal, and regularly met prisoners' basic needs.

d. Arbitrary Arrest or Detention

The constitution and statutory law generally prohibit arbitrary arrest and detention. Nevertheless, government security forces, Platform, CMA forces, and terrorist armed groups detained and arrested numerous individuals in connection with the ongoing conflict in the North and the Center (see section 1.g.).

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

Arrest Procedures and Treatment of Detainees

The law requires judicial warrants for arrest. It also requires police to charge suspects or release them within 48 hours of arrest. While police usually secured warrants based on sufficient evidence and a duly authorized official issued the warrant, this was not always the case. 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. Lack of resources to conduct transfers was often a contributing factor. Authorities may grant detainees, who have limited rights of bail, conditional liberty, particularly for minor crimes and civil matters. Authorities occasionally released defendants on their own recognizance.

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

Arbitrary Arrest: On April 24, three Tuareg Imghad individuals suspected of terrorist activities were arrested and killed by FAMA personnel in the town of Intahaka, Gao region. GATIA condemned the incident and called it a summary execution.

Following the June killing of the town chief of Hombori, gendarmes arrested three Fulani individuals allegedly implicated in his murder. The individuals remained detained for well over the constitutionally mandated 72-hour limit before appearing before a prosecutor.

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, trips that often required several days of travel. These detentions often occurred in the wake of attacks by bandits or terrorists and were targeted against members of the ethnic group suspected of carrying out the attacks.

Pretrial Detention: The law provides for trial for charged detainees within three months for misdemeanors and within one year for felonies, but lengthy pretrial detention remained 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. As of September, approximately 75 percent of inmates were in pretrial detention.

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

Political Prisoners and Detainees

There were reports of political prisoners or detainees.

According to the National Directorate for Penitentiary Administration, as of July, authorities had detained 230 persons charged with terrorism in connection with the conflict in the northern and central parts of the country. Some of those detained complained they were political prisoners. Persons found to be fighting for independence or for the creation of an Islamic state were charged with terrorism and claimed this as political detention. As of year's end, however, there was no clear indication that they were detained for political reasons or as opponents of the government. The government typically detained conflict-related prisoners in

higher-security facilities within prisons and provided them the same protection as other prisoners. International human rights and humanitarian organizations had access to most of these centers, but not to detainees held in facilities operated by the DGSE.

Civil Judicial Procedures and Remedies

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

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

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

g. Abuses in Internal Conflict

The military; formerly separatist forces including the MNLA, HCUA, and MAA; northern militias receiving support from the government, including MSA-GATIA; and extremist organizations, including ISGS, JNIM, the Macina Liberation Front, and al-Murabitoun, committed serious human rights violations and abuses in the northern and central parts of the country. These included arbitrary killings, abuse, and disappearances. Most human rights violations committed by the military targeted Fulani, Tuareg, and Arab individuals and were in reprisal for attacks attributed to armed groups associated with those ethnicities. Jihadist groups; the CMA alliance of the MNLA, HCUA, and MAA; and militias in the Platform, such as GATIA, held hostages. Some armed groups in the Platform, including GATIA, used child soldiers.

Government and French troops targeted terrorist organizations--including the AQIM, Ansar Dine, MLF, al-Murabitoun, JNIM, and ISGS--that were not party to the peace talks or the 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 abuses by government forces. According to MINUSMA's Human Rights Division, following

the March 14 killing of a FAMA national guardsman in Sevare, the army in response arrested 152 persons. In addition, MINUSMA reported the extrajudicial execution of 11 Fulani men in Mondoro, Mopti region. Most military abuses that targeted Fulani, Tuareg, and Arab persons were in reprisal for attacks attributed to armed groups associated with those ethnicities.

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

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

Unidentified individuals or groups carried out many attacks. For example, unidentified armed individuals in Mopti region killed the chief of the village of Hombori, the chief griot of Dialoube, and the mayor of Wadouba in June, July, and August respectively.

Intercommunal violence related to disputes over *transhumance* (seasonal migration) and cattle grazing occurred among Dogon, Bambara, and Fulani communities in the Mopti region, between 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).

Several international and human rights organizations expressed concern about intercommunal violence in Mopti region, mainly between pastoralist Fulani and agriculturalist Dogon ethnic groups. According to some media outlets, intercommunal violence resulted in at least 458 civilian deaths since the beginning of the year.

Numerous attacks on MINUSMA peacekeepers resulted in deaths and injuries. For example, 10 Chadian peacekeepers were killed on January 20 in a complex and coordinated attack in Aguelhoc, in the North. AQIM claimed responsibility for the attack. According to MINUSMA's latest quarterly report published in October, there were 20 attacks perpetrated against peacekeepers during the quarterly reporting period.

Abductions: Colombian Roman Catholic missionary Cecilia Narvaez Argoti, captured in February 2017 in Koutiala, southern Mali, and French humanitarian Sophie Petronin, abducted in Gao in 2016, remained in captivity with extremist

groups. On August 1, two humanitarian NGO workers kidnapped in April in Douentza, Mopti region, were released, while the mayor of Wadouba, abducted August 8, was found dead the following day. Makan Doumbia, the prefect of Tenenkou, abducted in May 2018, was freed in a security operation in February.

Physical Abuse, Punishment, and Torture: On January 1, unidentified armed individuals wearing Donzo hunter clothing attacked the Fulani village of Koulogon Peul in the Mopti region, killing at least 36 civilians, all Fulani, including a woman and four children. According to the MINUSMA Human Rights Division, at least three of the victims were tortured before being shot and killed. They also burned 173 houses and 59 granaries during the attack.

Child Soldiers: Armed militias, including some that received support from and collaborated with the government, including GATIA, MNLA, MAA-CMA, HCUA, FLM, GATIA and the MAA-PF, recruited and used child soldiers. A credible international organization identified 42 child soldiers being used by such armed groups. According to this organization, since the beginning of the conflict in 2012, at least 114 children have been recruited and used, including 109 boys and five girls by both CMA and the Platform. At least 57 children were found with Platform, 23 with CMA, and the rest with other armed groups. According to the National Directorate for the Protection of Children and Families (DNPEF), as of September 30, the number of children associated with armed conflict in Mali (including nationals from Burkina Faso, Algeria, and Niger) is as high as 201.

Also see the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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

A series of lethal attacks targeted Malian, French, and international forces in central and northern Mali in June, July, and August. The attacks resulted in at least 40 fatalities, including 33 civilians, and approximately a dozen wounded, including at least six French and Estonian soldiers. JNIM claimed responsibility for the attacks.

As of September 30, at least 204 MINUSMA personnel had been killed since 2013, when MINUSMA's mission began.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

Freedom of Expression: The government restricted freedom of expression and information, particularly during the April demonstrations of the opposition, civil society, and religious leaders. There was generally good public access to private radio stations and newspapers. When tens of thousands of protestors took to the streets in April, the national media's coverage was minimal. Various social media platforms, including WhatsApp and Facebook, were also disrupted or restricted during the protest. Internet interruptions also occurred during the same period.

Press and Media, Including Online Media: The law criminalizes offenses such as undermining state security, demoralizing the armed forces, offending the head of state, sedition, and consorting with the enemy. Former presidential candidate General Moussa Sinko Coulibaly was called in for several hours of questioning at the investigative panel of the gendarmerie following an October 2 tweet perceived to be incendiary and critical of the government.

Violence and Harassment: The media environment in Bamako and the rest of the South was relatively open, although there were sporadic reports of censorship and threats against journalists. Reporting on the situation in the North remained dangerous due to the presence of active armed groups. Journalists had difficulty obtaining military information deemed sensitive by the government and often were unable to gain access to northern locations. As reported in 2018, elections in the country were often accompanied by an uptick in violations of press freedom. The High Authority for Communication, the country's media regulator, is the only authority with the power to issue legal rulings on media content.

Libel/Slander Laws: The law imposes fines and prison sentences for defamation. On June 4, Karim Keita, legislator, son of the president and chairman of the Defense Committee at the National Assembly, formally lodged a complaint against journalist Adama Drame and radio announcer Mamadou Diadie Sacko (aka Sax) for defamation. They had both accused Karim Keita of orchestrating the January 2016 disappearance of journalist Boubacar Toure. On July 17, the High Instance of the Commune III Tribunal rejected the complaint.

Financial considerations also skewed press coverage. Most media outlets had limited resources. Journalists' salaries were extremely low, and many outlets could not pay the transportation costs for their journalists to attend media events. Journalists often asked event organizers to pay their transportation costs, and the terms "transportation money" and "per diem" became euphemisms for a pay-for-coverage system, with better financed organizations often receiving more favorable press coverage.

Internet Freedom

Private discussion was generally open and free in areas under government control but was more restricted in areas with a militant presence or where intercommunal violence had flared. Disruptions and restrictions of social media platforms as well as internet interruptions occurred during the April 19 protests. The government also restricted social media in 2018 ahead of the first round of the presidential election and subsequent run-off vote.

There were no credible reports suggesting 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 cost. Outside Bamako, access to the internet was very limited.

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 freedom. The governor of Bamako used state of emergency powers, in effect since 2015, to reject the formal request of opposition, civil society, and religious leaders to hold a peaceful march on April 5. The march took place despite the denial. Tens of thousands participated in the peaceful demonstration. In October several promilitary, antigovernment demonstrations demanded increased government transparency and support to the FAMA following deadly attacks against military installations.

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 that of members of the LGBTI community.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

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

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing humanitarian assistance, including some protection services, to internally displaced persons (IDPs), refugees, asylum seekers, and other persons of concern. Security restrictions and failure to uphold the 2015 Algiers Peace Accord affected the delivery of humanitarian assistance.

In-country Movement: While in-country movement was not formally restricted, the army and some militias 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 IEDs (see section 1.g.). Conditions at the beginning of the year encouraged some refugees and IDPs to return to their homes in the North and the Center, but subsequent incidents of insecurity slowed the rate of returns. The government facilitated travel to the North and the Center 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.

e. Internally Displaced Persons (IDPs)

The security conditions in the North and the Center, including frequent intercommunal violence, forced many people to flee their homes. UNHCR and the Ministry of Solidarity and the Fight against Poverty reported 187,139 internally displaced persons (IDPs) in Mali and 138,404 refugees in neighboring countries as of September 30. Humanitarian access in the northern regions generally improved following the 2015 signing of the Algiers Accord, although insecurity related to terrorism and banditry remained a challenge in much of the country.

Intercommunal violence and ethnic conflict in the Center continued to cause insecurity and displacement concerns. While in June some IDPs in the Mopti region returned to their homes, the number of IDPs in the country continued to rise and had more than quadrupled since January 2018.

The Ministry of Solidarity and the Fight against Poverty 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 the official identity documents needed to facilitate access to public services, including schools, although identification was not required for humanitarian assistance. Aid groups provided humanitarian assistance to IDPs residing in the South and North as access permitted.

f. Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. A national committee in charge of refugees operated with assistance from UNHCR. According to UNHCR, the International Organization for Migration, and the government, by September 30, there were 26,851 registered refugees and 1,000 asylum seekers residing in the country. The majority of refugees were of Afro-Mauritanian origin--expelled from Mauritania in 1989--and their children. At a meeting between UNHCR and ministers from the Economic Community of West African States, the government committed itself to assisting all Mauritanian refugees who wished to integrate locally with a declaration of intention to facilitate their naturalization. In 2015 the government issued birth certificates to nearly 8,000 refugee children born in the country as part of its commitment to facilitate local integration for Afro-Mauritanian refugees, allowing them to access public services, sign employment contracts, buy and sell land, set up companies, and borrow from banks.

As of September 30, UNHCR estimated there were 138,404 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 74,205 Malian refugees had returned to Mali from neighboring countries as of September 30.

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.

g. Stateless Persons

Not applicable.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

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

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

Public media coverage of all candidates was generally equal and met standards outlined by the National Committee for Equal Access to State Media. The state

media, however, favored the incumbent IBK by covering his actions as a candidate, as president, and of the government and did not cover opposition candidates.

Security incidents and inaccessibility (mostly due to roads washed out after heavy rains) affected 490 polling stations, 2.1 percent of the total, during the runoff vote, according to an August 2018 statement from the Minister of Security and Civil Protection, General Salif Traore. This was down from 869 polling stations or 3.77 percent of all stations affected in the first round of voting in July 2018. Of the 490 closed polling stations nationwide, 440 were in Mopti Region, according to Traore. He reported that 100 of the 440 closed stations in Mopti were unable to open due to lack of accessibility. Voter turnout was 43 percent for the first round of elections and 34.5 percent for the second round.

Legislative elections, originally scheduled to be held in October 2018, were delayed until at least May 2020 after an initial six-month government delay was followed by another one-year extension of the current deputies' mandate.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. Cultural factors, however, limited women's political participation in formal and informal roles. A law passed in 2015 requires that at least 30 percent of the slots on party election lists be reserved for female candidates and that 30 percent of high-level government appointees be women. The law was fully implemented in President Keita's first cabinet of his second term, in which 11 of 32 ministers were women. In the second cabinet, formed in April, eight of the 38 ministers were women. There were only 14 women in the 147-member National Assembly. There were three women on the 62-member Supreme Court and two women on the nine-member Constitutional Court, including the head of the court.

The National Assembly had at least eight 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 one nomadic ethnic minority member.

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 Dine ended their association with the group following the French intervention in 2013.

Section 4. Corruption and Lack of Transparency in Government

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

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

In July the general auditor of Mali released its 2018 report on government and public institution waste, fraud, and abuse. The airport of Mali and the office of the mayor of the rural commune of Baguineda were investigated. These two agencies were reported to have lost 2.12 billion CFA (more than five million dollars) in taxpayers' money in 2018.

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

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

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on

human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The CNDH is an independent institution which receives administrative and budgetary assistance from the Ministry of Justice. The government continued to provide the CNDH with headquarters and staff. The adoption of the 2016 law pertaining to the CNDH and its subsequent implementation, allowed the CNDH to make strides toward fulfilling its mandate. The CNDH became more effective and autonomous. The Ministry of Justice decreased control over the CNDH's budget and the commission's large membership included civil society representatives. With improved funding and capacity, the CNDH issued statements on several cases of human rights violations including the Ogossagou massacre and conducted investigations into allegations of abuse. In August the CNDH undertook missions in Diema to facilitate the return of displaced victims of hereditary slavery. It also issued a statement to condemn the practice. The current minister of justice, appointed in May, previously served as the president of the CNDH.

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 public report on its findings by year's end.

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

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

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

Women

Rape and Domestic Violence: The law criminalizes rape and provides a penalty of five to 20 years' imprisonment for offenders, but the government did not enforce the law effectively. Rape was a widespread problem. Authorities prosecuted only a small percentage of rape cases since victims seldom reported rapes due to societal pressure, particularly because attackers were frequently close relatives, and

due to fear of retaliation. No law specifically prohibits spousal rape, but law enforcement officials stated that 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. A 2012/2013 gender assessment found a vast majority of women in the country suffered from domestic violence and concluded that 76 percent of women thought it was acceptable for a man to beat a woman for burning food, arguing, going out without telling the man, being negligent with children, or refusing to have sexual intercourse. For example, in Bamako, a man stabbed his wife to death before killing himself in September. In October a woman killed her husband in a Bamako neighborhood in retaliation for his previous violence against her. Spousal abuse is a crime, but the law does not specifically prohibit domestic violence. According to human rights organizations, most cases went unreported as a result of both cultural taboos and a lack of understanding regarding legal recourse. Assault is punishable by prison terms of one to five years and fines of up to 500,000 CFA francs (\$830). If premeditated, it is punishable by up to 10 years' imprisonment. Police were often reluctant to intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands because they feared their 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.

According to the UN's Panel of Experts' reporting, the Gender-based Violence Information Management System reported 210 cases of conflict-related sexual violence from January to April, including cases of forced marriage, sexual slavery, castration, forced prostitution, and forced pregnancies.

In its August report, the UN Panel of Experts on Mali reported receiving multiple accounts of female migrants being raped during their journey. For example, on May 19, four armed men intercepted a public transport vehicle traveling from Bamako to Timbuktu near Acharane village, stole all the passengers' belongings, and gang-raped a 20-year-old woman. On August 31, a group of seven individuals harassed and raped a girl in the Nafadji neighborhood in Bamako. Five of the assailants remained in custody, while two fled and were not captured. The case was under investigation. In October, during the second session of the Court of Assizes, cases related to sexual assault and rape were heard; one rape suspect was convicted and received a 20-year sentence.

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 2015, indicated that 83 percent of girls and women between the ages of 15 and 49 were excised, and 74 percent of girls and women in the same age group had at least one daughter who was excised. Government information campaigns regarding the dangers of FGM/C reached citizens throughout the country where security allowed, and human rights organizations reported decreased incidence of FGM/C among children of educated parents.

For more information, see Appendix C.

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

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

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

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

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

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

Children

Per 2018 estimates, 57.9 percent of the population of Mali is under 18 years of age. The UN estimated 1.6 million children were in need of humanitarian assistance. According to UNICEF's data regarding children, repeated attacks have led to death; gunshot or burn injuries; displacement and separation from families; and exposure to violence, including rape and other forms of sexual violence; arrests and detention; and psychological trauma. Hundreds of children were also estimated still to be in armed groups, and more than 900 schools remain closed due to insecurity. Children made up 52 percent of IDPs in the country.

Birth Registration: Citizenship is derived from either parent or by birth within the country, and the law requires registration within 30 days of birth. A fine can be levied for registration occurring after the 30-day period. Girls were less likely to be registered.

The government did not register all births immediately, particularly in rural areas. Some organizations indicated there were insufficient registration sites to accommodate all villages, further exacerbating the low registration rates in certain areas. According to UNICEF, the government registered 81 percent of births in 2014. The government conducted an administrative census in 2014 to collect biometric data and assign a unique identifying number to every citizen. The process allowed the registration of children not registered at birth, although the number of new birth certificates assigned was unknown. During the year several local NGOs worked with foreign partners to register children at birth and to educate parents about the benefits of registration. Birth registration also plays an essential role in protecting children, as well as facilitating their release and reintegration if recruited by armed groups or detained. In August the Malian Red Cross in collaboration with MINUSMA facilitated the registration and issuance of birth certificates of 500 children, aged zero to 14 years, in the Kidal and Tin Essako circles in the north.

Education: The constitution provides for tuition-free universal education, and the law provides for compulsory schooling of children between the ages of six through 15. Nevertheless, many children did not attend school. Parents often had to pay their children's school fees as well as provide their uniforms and supplies. Other factors affecting school enrollment included distance to the nearest school, lack of

transportation, shortages of teachers and instructional materials, and lack of school feeding programs. Girls' enrollment was lower than that of boys at all levels due to poverty, a cultural preference to educate boys, the 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. MINUSMA reported at least 10 schools were attacked or targeted. Jihadist groups threatened teachers and communities causing, as of July, the closure of over 900 schools during the 2018-19 school year, up from 657 schools in the same period in 2017-18, affecting more than 270,000 students according to UNICEF. At least 60 percent of closed schools were located in Mopti region. The UN Population Fund (UNFPA) estimated that 71 percent of primary school-age boys and 63 percent of primary school-age girls were actually enrolled. This dropped to 32 percent and 26 percent, respectively, for secondary school-age children.

Child Abuse: Comprehensive government statistics on child abuse did not exist, but the problem was widespread. Citizens typically did not report child abuse. In the first half of the year, more than 150 children were killed (twice as many as were killed throughout the entirety of 2018), 75 maimed, 39 detained, and 377,000 were in need of increased protection and assistance because of jihadist attacks or intercommunal violence. MINUSMA also reported an increase in grave violations against children, defined as recruitment or use of children as soldiers, killing and maiming of children, rape and other grave sexual violence, abductions, attacks on schools and hospitals, or denial of humanitarian access to children. MINUSMA's third quarterly report, issued in October, identified 284 cases, up from 145 cases in the prior reporting period. Police and the social services department in the Ministry of Solidarity and Humanitarian Action investigated and intervened in some reported cases of child abuse or neglect, but the government provided few services for such children.

Early and Forced Marriage: The minimum age to marry without parental consent is 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, particularly in rural areas, and underage marriage was a problem throughout the country. Girls were also taken as 'wives' for combatants and leaders of armed groups. According to 2017 data from the UN Population Fund, 52 percent of women were married by the age of 18 and 17 percent before the age of 15.

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

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children, including commercial sexual exploitation. Penalties for the sexual exploitation of both adults and children are six months to three years in prison and a fine of between 20,000 and one million CFA francs (\$33 and \$1,661). Penalties for convicted child traffickers are five to 20 years in prison. Penalties for indecent assault, including child pornography, range from five to 20 years in prison. The country has a statutory rape law that defines 18 as the minimum age for consensual sex. The law, which was inconsistent with the legal minimum marriage age of 15 for girls, was not enforced. Sexual exploitation of children occurred. The Division for Protection of Children and Morals of the National Police conducted sweeps of brothels to assure that individuals in prostitution were of legal age and arrested brothel owners found to be holding underage girls. Between January and April, 60 percent of the more than 1,000 victims of gender-based violence (including rape, sexual assault, and physical and psychosocial violence) were girls.

Child Soldiers: According to UNICEF, at least 99 children were identified as associated with armed groups through the year. While hundreds more were estimated to be affiliated with armed groups, no precise data exists. Children may carry arms and be used in combat or be forced to work with an armed group in its operations, acting as spies, messengers, porters, or cooks or cleaning camps, vehicles, and weapons.

A local NGO in Kidal, Solidarite pour le Sahel, identified and admitted 60 children into its protection center in 2018. This included two girls who had been recruited by signatory armed groups in Tessalit, Aguelhok, and Kidal. Children were used mainly as porters, with girls also serving as cooks.

From April 2017 to August, the National Directorate for the Promotion of Children and the Family registered 86 children associated with armed groups. Of these, 29 were identified in 2017, 24 in 2018, and 33 in 2019. The government and national and international NGOs assisted them all. As of September, three children remained at shelter centers in Bamako, Mopti, and Gao, while all others were reunited with their families. Of the children identified during the year 22 were

associated with jihadist groups operating in Mopti region, while three were identified in Kidal, one in Timbuktu, and six in Niger.

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 five infanticide cases during the year.

Displaced Children: UNICEF reported that, during the first half of the year, it had united 287 unaccompanied children with their caregivers. In October the DNPEF identified 392 displaced children in three Bamako IDP sites.

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

Anti-Semitism

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

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

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

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

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

National/Racial/Ethnic Minorities

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

There were continued reports of slave masters kidnapping the children of their *Bellah* slaves, who had no legal recourse. Slaveholders considered slaves and their children as property and reportedly took slave children to raise them elsewhere without permission from their parents. The antislavery organization Temedt organized workshops throughout the country to convince communities to abandon the practice of keeping slaves. In July, due to their refusal to continue slavery practices, more than 2,000 families were displaced and prevented from farming and accessing social services in the areas of Diema, Nioro du Sahel, and Yelimane in the Kayes region. Some of the victims were beaten and mistreated. According to reports, 66 villages decided to force people refusing slavery practices to leave these villages. The CNDH and other human rights organization condemned the situation and called on the government to take action. In March the government issued a statement warning against the practice but took no action to establish punishment for practicing slavery.

In September, two men from the town of Kremis in the Kayes Region were forced to flee to Yelimane after they publicly opposed their social status as descendants of slaves. One of them was tied up and publicly humiliated on the orders of the chief of Kremis before he fled.

Intercommunal violence led to frequent clashes between members of the Fulani or Peuhl ethnic groups and, separately, members of the Bambara and Dogon communities for their alleged support of armed Islamists linked to al-Qa'ida. According to HRW, this tension has given rise to ethnic "self-defense groups" and driven thousands from their homes, diminished livelihoods, and induced widespread hunger. Such groups representing these communities were reportedly involved in several communal attacks. Retaliatory attacks were seemingly more frequent and deadly.

In the Center, violence across community lines escalated. Clashes between the Dogon and Fulani communities were exacerbated by the presence of extremist groups and resulted in the death of a large number of civilians. On March 23, in Ogossagou, Mopti region, a group of armed men, allegedly mainly composed of Dogons, killed at least 157 members of Fulani community--including women and 46 children--during the deadliest Malian massacre since 2012. An additional 65 civilians were reported injured and 95 percent of the village burned. As of May, at least 10 suspects had been arrested and a criminal investigation was opened before the Specialized Judicial Unit to Combat Terrorism and Transnational Organized Crime.

On June 10, clashes between Dogon hunters and Fulani herders in Sobane Da, Bandiagara Region, a Dogon village, resulted in at least 35 deaths--including children--of members of the Dogon community.

In another example, on August 10, unidentified gunmen attacked the village of Donkono, in the circle of Bankass, Mopti region, killing two civilians, wounding several others, and burning numerous houses.

According to HRW's December 2018 report, in 2018 there were at least 26 separate attacks against Fulani villages (allegedly by Bambara and Dogon self-defense groups) with at least 156 civilians killed. The report further indicated at least 50 Fulani villagers, including children, remained missing. Similarly, 45 Dogon villagers were killed during 16 attacks allegedly carried out by Islamist armed groups backed by Fulani self-defense groups.

According to MINUSMA's latest quarterly report, issued in October, there were 331 incidents in which 367 civilians were killed and 221 injured, as well as 63 reported abductions of civilians, compared with the previous period, which registered 245 incidents, 333 civilian fatalities, 175 injuries, and 145 abductions.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported in July that intercommunal conflict in the North, Center, and South had resulted in a level of displacement not seen since 2014. Displacement was estimated at 187,139 individuals, with at least 28,000 new IDPs between May and June--more than double the number recorded in the same period in 2018. A June report stated that during the first six months of the year, nearly 50,000 IDPs fleeing intercommunal violence had been registered in Mopti, Sevare, and Fotama in central Mali, 2,000 of them resulting from the Ogossagou massacre.

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

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

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

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

HIV and AIDS Social Stigma

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

Other Societal Violence or Discrimination

Discrimination continued against persons with albinism. Some traditional religious leaders perpetuated the widespread belief that such persons possessed special powers that others could extract by bringing a traditional spiritual leader

the blood or head of one. For example, in October a group of people, including the husband, killed an albino pregnant woman in Kita on the orders of a traditional spiritual leader. Two of the perpetrators were arrested. At year's end, the case remained under investigation at the Kita high instance tribunal. In November 2018 a Malian singer-songwriter and albino activist, Salif Keita, assembled an international forum on protecting albino persons in Africa and dedicated a benefit concert to a five-year-old albino girl who was kidnapped, tortured, and killed in the country in May 2018. Keita noted that men often divorced their wives for giving birth to a child with albinism. Lack of understanding of the condition contributed to such persons' lack of access to sunblock, without which they were highly susceptible to skin cancer. Keita founded the Salif Keita Global Foundation in 2006, which provided free health care to persons with albinism, advocated for their protection, and provided education to help end their abuse.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The minister of labor and public service has the sole authority to decide which union is representative for sectoral collective bargaining and to approve sectoral collective agreements. Employers have the discretionary right to refuse to bargain with representatives of trade unions. The law allows all types of strikes and prohibits retribution against strikers. Unions must exhaust the mandatory conciliation and arbitration procedures set out in the labor code in order to strike legally. 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 services whose interruption would endanger the lives, personal safety, or health of persons; affect the normal operation of the national economy; or affect a vital industrial sector. For example, the law requires striking police to maintain a minimum presence in headquarters and on the street. The government, however, has not identified a list of essential services. Participation in an illegal strike is punishable by harsh penalties, including dismissal and loss of other rights except wages and leave. Civil servants exercised the right to strike during the year.

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

Authorities did not consistently respect freedom of association and the right to collective bargaining, although workers generally exercised these rights. The government did not always respect unions’ right to conduct their activities without interference.

Although unions and worker organizations were independent of the government and political parties, they were closely aligned with various political parties or coalitions. The Ministry of Mines intervened to facilitate negotiations between labor and management over the closure of the Morila 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. Forced labor occurred. The law prohibits the contractual use of persons without their consent, and penalties include fines and imprisonment with compulsory hard labor. Penalties can double if a person younger than 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. A government commission has conducted an inventory of mercury in artisanal gold mines, mapped artisanal gold mines in the auriferous regions of Kayes, Koulikoro, and Sikasso, and created a professional identification card for artisanal gold miners. On September 17, a man

in the town of Kremis was publicly assaulted for his opposition to hereditary slavery.

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 compelled boys into begging and other types of forced labor or service (see section 7.c.).

The salt mines of Taoudeni in the North subjected men and boys, primarily of Songhai ethnicity, to a longstanding practice of debt bondage. Employers subjected many black Tuaregs to forced labor and hereditary slavery, 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 <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor law sets the minimum employment age at 15. No child may work more than eight hours per day under any circumstance. The government prohibits some of the worst forms of child labor. The government's Hazardous Occupations List prohibits certain activities by children younger than 18. Girls between the ages of 6 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. Gaps exist in the country's legal framework to protect children adequately from the worst forms of child labor, and the law does not meet international standards as related to the prohibition of forced labor, the prohibition against using children in illicit activities, and the prohibition of military recruitment by nonstate armed groups.

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

laws. Resources, inspections, and remediation were not adequate, and the penalties for violations were not sufficient to deter violations.

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

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

Child labor in artisanal gold mining was a serious problem. According to the International Trade Union Confederation, at least 20,000 children worked under extremely harsh and hazardous conditions in artisanal gold mines. Many children also worked with mercury, a toxic substance used in separating gold from its ore.

An unknown number of primary school-age boys throughout the country, mostly younger than 10, attended part-time Quranic schools funded by students and their parents. Some Quranic teachers (*marabouts*) often forced their students, known as *garibouts* or *talibes*, to beg for money on the streets or work as laborers in the agricultural sector; any money earned was usually returned to their teachers. In some cases talibes are also used as domestic workers without receiving compensation.

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

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

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

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

e. Acceptable Conditions of Work

The official minimum wage allows one to live above the World Bank's poverty line. Minimum wage requirements did not apply to workers in the informal and subsistence sectors, which included the majority of workers. The government supplemented the minimum wage with a required package of benefits, including social security and health care. In January 2018 the government increased the salaries of public sector workers after coming to a collective bargaining agreement with the largest national workers' union, the National Workers' Union of Mali. In August 2018 banks and insurance companies also increased their employees' salaries.

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

The law provides for a broad range of occupational safety and health standards in the workplace. Workers have the right to remove themselves from work situations that endanger health or safety without jeopardy to their employment and to request an investigation by the Social Security Department, which is responsible for recommending remedial action where deemed necessary. Authorities, however,

did not effectively protect employees in these situations. With high unemployment, workers often were reluctant to report violations of occupational safety regulations.

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

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