

MALI 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Mali has a constitutional democratic system that was upended on August 18-19 when members of the military overthrew the elected government. Following a brief period of military rule, in September a civilian-led transition government was installed. The country last held presidential elections in 2018, re-electing Ibrahim Boubacar Keita in elections that met minimum acceptable standards. On March 29 and April 19, repeatedly delayed parliamentary elections were held. On April 30, the Constitutional Court overturned provisional election results of 30 parliamentary seats, sparking large-scale demonstrations and calls for then president Keita's resignation. On August 18, military officers arrested Keita, who on August 19 resigned and dissolved the government. The military officers formed the National Committee for the Salvation of the People, which remained in control until a transition government was inaugurated September 25.

The country's defense and security forces are composed of the Malian Armed Forces, the National Gendarmerie, and the National Guard, which fall administratively under the Ministry of Defense, although operational control of the National Guard and National Gendarmerie is shared with the Ministry of Security and Civil Protection. The National Police report to the Ministry of Security and have responsibility for law enforcement and maintenance of order in urban areas, while the National Gendarmerie has responsibility in rural areas, including a specialized border security unit. The National Guard and army occasionally performed these duties in northern areas where police and gendarmes were absent. The responsibilities of the Ministry of Security and Civil Protection include maintaining order during exceptional circumstances, such as national disasters or riots. The National Penitentiary Administration falls under the Ministry of Justice. The country's intelligence service has authority to investigate any case and temporarily detain persons at the discretion of its director general, who reports directly to the president. It usually detained persons only in terrorism and national security cases. Civilian authorities did not always maintain effective control over civilian and military security forces. Monitoring groups noted an increase in

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allegations against the defense and security forces in the year, including summary executions and forced disappearances during operations. Members of the security forces committed numerous abuses.

The country experienced significant communal and extremist violence in addition to political upheaval. Violence between nomadic Fulani herders and Dogon farmers and hunters increased throughout the year, and the number of internally displaced persons in the country quadrupled from July 2018 to July. The UN's Multidimensional Integrated Stabilization Mission in Mali and France's counterterrorism Operation Barkhane continued operations in the country.

Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings, by both government and nonstate actors; forced disappearance by government forces; torture and cases of cruel, inhuman, or degrading treatment by government forces; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; serious abuses in an internal conflict; serious restrictions on freedom of the press and the internet, including the existence of criminal libel and slander laws; substantial interference with the freedom of peaceful assembly; serious acts of corruption; lack of investigation and accountability for violence against women; unlawful recruitment and use of child soldiers by government forces and nonstate armed groups, some of which received government support; trafficking in persons; crimes involving violence targeting national and ethnic minority groups; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; use of laws to punish consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor.

The government made little effort to investigate, prosecute, or punish government officials who committed abuses, whether in the security forces or elsewhere in the government. Impunity for serious crimes committed in the country's northern and central regions continued with few exceptions. Cases related to massacres, forced disappearances, or other serious human rights abuses rarely moved beyond an investigative phase, although as of October, five cases were listed as ready for trial.

Ethnic militias also committed serious human rights abuses, including summary

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executions, the destruction of homes and food stores, and the burning of entire villages. Despite signing the 2015 Algiers Accord for Peace and Reconciliation in Mali (Algiers Accord), signatory armed groups committed serious human rights abuses, including summary executions, torture, and the recruitment and use of child soldiers. Terrorist groups, including affiliates of ISIS in the Greater Sahara and the al-Qa'ida coalition Jama'at Nusrat al-Islam wal Muslimin, neither of which are party to the peace process, kidnapped and killed civilians, including humanitarian workers, and military and peacekeeping forces. There were also allegations that military forces from Burkina Faso and Niger conducting counterterrorism operations in the country committed serious abuses. A Nigerien military investigation refuted the allegations involving Nigerien forces, concluding that extremists were responsible. At year's end there was no information on investigation by Burkina Faso authorities of alleged abuses by Burkinabe forces.

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 gendarmerie is the body responsible for conducting initial investigations into security forces. Cases are then transferred to the Ministry of Justice for investigations into alleged police violence or the Ministry of Defense's military tribunal for investigations into alleged military abuses. Depending on the infraction and capacity of the military tribunal, some cases related to military abuses may be processed by the Ministry of Justice.

On May 11, in the city of Kayes in the central part of the country, an off-duty police officer allegedly shot and killed a teenager for a traffic infraction, prompting protests during the ensuing days that left at least two more persons dead. There were allegations that security forces killed these additional two civilians, but the Gendarmerie conducted an investigation and concluded that those killings were carried out by a protester.

Between July 10 and 13, a total of 14 persons, including two children, were killed

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in the course of interventions by security forces during antigovernment demonstrations in the capital, Bamako. In November the UN Multidimensional Integrated Stabilization Mission in Mali's (MINUSMA's) Human Rights and Protection Division (HRPD) attributed the deaths to actions by the National Gendarmerie, National Police, National Guard, and the Special Anti-Terrorist Force (FORSAT); it noted furthermore that FORSAT, whose actions it concluded were responsible for two of the 14 deaths, not only used disproportionate force but also acted illegally by intervening in law enforcement operations outside of the scope of its counterterrorism mission. Human Rights Watch and Amnesty International also documented the use of excessive force by security forces and the role of FORSAT during the same protests. On July 15, the then prime minister's office announced an investigation into the alleged role of FORSAT in the deaths, and on December 3, the transition government's National Council recommended renewed investigations into the July 10-13 events.

Separately, MINUSMA's HRPD, tasked with monitoring human rights abuses throughout the country, reported more than 700 civilians killed from January to June. Among these the Malian defense and security forces (MDSF) allegedly committed at least 195 extrajudicial killings during the first six months of the year. Among other cases of extrajudicial killings documented by Amnesty International during the year, on February 16, the Malian Armed Forces (FAMa) reportedly committed five killings of unarmed individuals in the village of Belidanedji in the central part of the country. A number of investigations ordered by the Ministry of Defense regarding extrajudicial killings continued.

Terrorist groups, signatory and nonsignatory armed groups to the Algiers Accord, and ethnic militias also committed numerous arbitrary killings related to internal conflict. According to the same HRPD reports covering the first six months of the year, terrorist elements were allegedly responsible for 82 killings, while signatory and nonsignatory armed groups to the Algiers Accord, including the Platform of Northern Militias (Platform) and the Coordination of Movements of Azawad (CMA), were allegedly responsible for at least 18 deaths. The HRPD furthermore reported that intercommunal violence, often by ethnic militias, accounted for the deaths of at least 350 civilians during the same period. The HRPD reports also alleged instances of extrajudicial executions within the country committed by

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members of the G5 Sahel Joint Force (18), the Nigerien armed forces (34), and the Burkinabe armed forces (50).

Attacks by extremist groups and criminal elements continued to reach beyond the northern regions to the Mopti and Segou Regions in the central part of the country, and to the Kayes Region in the West. Extremist groups frequently employed improvised explosive devices (IEDs) to target civilians as well as government and international security forces. For example, on June 7, a civilian transport truck traveling from Jamweli to Douentza, Mopti Region, struck an IED, killing seven persons and injuring at least 24. On March 19, in a non-IED-related attack, armed individuals attacked a military camp in Tarkint, Gao Region, killing at least 29 soldiers and wounding five others. On May 10, a Chadian MINUSMA peacekeeping convoy struck an IED in Aguelhoc, Kidal Region, killing at least three peacekeepers and wounding four others. IEDs were also used repeatedly to target important infrastructure, such as bridges, cutting off communities from humanitarian assistance, important trade routes, and security forces.

There was limited progress in the prosecution of suspects--including the 2012 coup leader Amadou Sanogo--in the disappearance, torture, and killing of 21 Red Berets (members of FAMa's 33rd Parachute Regiment) and former junta member Colonel Youssouf Traore. On January 28, the Appeals Court of Bamako granted Sanogo, incarcerated since 2013, conditional release on the grounds his pretrial detention period was unreasonably long.

b. Disappearance

There were numerous reports of forced disappearances believed to have been carried out by extremist groups and, in some instances, by the MDSF in the central and northern regions of the country. MINUSMA's HRPD reported that the MDSF was responsible for 40 disappearances during the first six months of the year while armed groups were responsible for 71 forced disappearances or kidnappings during the same time period. In its June report on human rights abuses by security forces in the Sahel, Amnesty International similarly reported dozens of forced disappearances and possible summary executions at the hands of the MDSF in the course of counterterrorism operations and on other occasions. In December 2019 at least 26 individuals were arrested by a FAMa patrol at the Maliemana market in

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Segou and never seen again. Bodies were reportedly discovered in a well in the nearby village of N'Doukala seven days later. The government issued a communique 10 days after the arrests announcing an investigation and, as of December, a military prosecution order to investigate formally the allegations was pending the assignment of an investigative judge. The United Nations launched a fact-finding mission into the allegations, but the results of that mission were not made public. In one high-profile instance of kidnapping by armed groups, on March 25, opposition leader and former presidential candidate Soumaila Cisse was abducted while campaigning for legislative elections. The kidnapping was reportedly carried out by Amadou Kouffa's Macina Liberation Front (MLF), a Jama'at Nusrat al-Islam wal Muslimin (JNIM) affiliate. On October 8, Cisse was released along with three foreign hostages in exchange for the release of nearly 200 suspected extremists.

Human rights observers continued to report they were unable to verify the whereabouts of dozens of prisoners purportedly detained in connection with the northern conflict. This might 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 General Directorate of State Security (DGSE). Limited capacity to keep up accurately with case management exacerbated the difficulty in locating individuals within the country's penal system. The COVID-19 pandemic was also a contributing factor, since many organizations were either denied access or unable to visit prisons for health-safety reasons. Human rights organizations estimated that the DGSE held at least 60 unacknowledged detainees, but these organizations noted they did not have access to the DGSE's facilities. Following advocacy from the National Commission for Human Rights (CNDH), at least two of these unreported detention cases were transferred to the justice system during the year: one involving a member of the 2012 junta, Seyba Diarra, and the other of civil society leader Clement Dembele.

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

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employed these tactics against individuals with suspected links to extremist groups, including JNIM-affiliated member groups (see section 1.g.). MINUSMA's HRPD reported 56 instances of torture or cruel and inhuman treatment by the MDSF during the first six months of the year. Other organizations reported extensively on torture allegations. In February, according to reports by Amnesty International and others, an elected official from Kogoni-Peulh, Oumar Diallo, was asked by his community to inquire at a gendarme base in Segou as to the whereabouts of previously arrested villagers. He was allegedly arrested and detained at the military camp in Diabaly where he was reportedly treated poorly. He died while subsequently being transferred to Segou by the military. Amnesty International reported that those who buried him stated, "On his corpse you could see traces of ill treatment." Leaders of the opposition movement the June 5 Movement-Rally of Patriotic Forces (M5-RFP), arrested in the wake of the violent July 10-12 protests, claimed they were tortured or mistreated by the gendarmerie at the Gendarmerie Camp I detention facility in Bamako. Investigations into these allegations by international organizations continued at year's end.

According to the *Conduct in UN Field Missions* online portal, there remained one open allegation of sexual exploitation and abuse by a peacekeeper from the country deployed to the UN Stabilization Mission in Haiti. The allegation was submitted in 2017 and allegedly involved an exploitative relationship with two adults. As of September the United Nations substantiated the allegation and repatriated the perpetrator, but the government had not disclosed the accountability measures taken.

Impunity was a significant problem in the defense and security forces, including FAMa, according to allegations from Amnesty International, MINUSMA's HRPD, and various nongovernmental organizations (NGOs). The Ministry of Defense reportedly ordered investigations into several of the allegations made against FAMa, but the government provided limited information regarding the scope, progress, or findings of these investigations. The lack of transparency in the investigative process, the length of time required to order and complete an investigation, the absence of security force prosecutions related to human rights abuses, and limited visibility of outcomes of the few cases carried to trial all

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contributed to impunity within the defense and security forces.

Prison and Detention Center Conditions

Overcrowding and inadequate sanitary conditions and medical care caused prison conditions to be harsh and life threatening.

Physical Conditions: As of August the Bamako Central Prison held approximately 2,300 prisoners in a facility designed to hold 400. There were significant rates of overcrowding at other prisons. Detainees were separated by age (adults or minors), gender, and offense type (terrorist or criminal). Detention conditions were better in Bamako's women's prison than in prisons for men.

By law authorities may hold arrested individuals for up to 72 hours in police stations, where there were no separate holding areas for women and children. Prisons authorities held pretrial detainees with convicted prisoners. As of August authorities held 372 persons arrested on charges related to terrorism in the higher security division of Bamako Central Prison and in Koulikoro. The general security situation, together with population growth and overloaded, inefficient courts, exacerbated already poor prison conditions by increasing the number of pretrial detainees and preventing the release of prisoners who completed their sentences. Gendarmerie and police detention centers were at maximum capacity at year's end.

The country's prison administration (DNAPES) reported that, as of August, a total of 18 prisoners and detainees died in custody due to heart attacks, brain trauma, and respiratory problems. The CNDH, an independent entity that receives administrative and budgetary assistance from the Ministry of Justice, attributed the deaths to unhealthy prison conditions. Additionally, inadequate security mechanisms and a general lack of resources limited the ability of authorities to maintain control of prisons. On June 5, a mutiny at Bamako Central Prison left four inmates dead and eight others (including one prison guard) injured.

Prison food was insufficient in both quality and quantity, and prison 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

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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 inhuman conditions. Prisoners also made verbal complaints during prison inspections by the CNDH regarding their detention conditions. The CNDH, charged with visiting prisons and ensuring humane conditions, visited prisoners in Bamako Central Prison and other localities. The law allows the CNDH to visit prisons without seeking prior permission from prison authorities. On July 12, the CNDH was denied access to the Bamako Gendarmerie Camp I, where M5-RFP leaders were detained following the July 10 protest and subsequent violence. The United Nations reported that it was eventually allowed access to detained protest leaders. The CNDH frequently visited prisons outside of Bamako, although its last visit to a military detention center occurred in 2012 despite several subsequent requests to visit. The government's National Penitentiary Administration investigated and monitored prison and detention center conditions. Detainees were generally allowed to observe their religious practices and had reasonable access to visitors.

Independent Monitoring: The government permitted visits by human rights monitors, and human rights organizations conducted visits. The government required 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. During the year ICRC officials visited at least 11 prisons in the country, including in Bamako, Koulikoro, Mopti, Timbuktu, Gao, and Kidal, and found that prisoners' basic needs were regularly being met. The ICRC also assisted DNAPES in preventing the spread of COVID-19 by making recommendations and providing hygiene and sanitary equipment.

Improvements: The government took steps to improve staff training and physical security measures. A nine-billion CFA franc (\$15.6 million) prison construction project in Kenieroba, 30 miles south of Bamako, continued; the prison was partially operational. Much of the structure was complete; however, the facility

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lacked adequate water, electricity, furnishings, and equipment for the intended operations. The prison was designed to hold 2,500 inmates and to meet international standards but as of September confined approximately 400 inmates. As a COVID-19 mitigation measure, in April at least 1,400 prisoners were pardoned and released from national prison facilities.

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 continued conflict in the northern and central regions (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 their detention is determined to have been arbitrary, but the law does not provide for compensation from 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 through issuance by a duly authorized official, these procedures were not always followed. 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 cited as a contributing factor. Authorities may grant conditional release to detainees, who have limited right to bail, 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, if they cannot afford one, to a state-provided lawyer. Detainees are typically granted prompt access to their lawyers. Nevertheless, a shortage of private attorneys--particularly outside Bamako and Mopti--often prevented access to legal representation. There was also at least one incident in which a high-profile figure, Clement Dembele, was arrested

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and was not granted prompt access to a lawyer.

Arbitrary Arrest: 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. Due to the country's size, long travel times, poor road conditions, and inadequate personnel or resources, however, the transfer process itself sometimes took more than a week, during which 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.

According to MINUSMA, because the CMA gradually replaced the state as a de facto authority in the north of the country, they also illegally detained and pardoned individuals being held at the Kidal remand center. MINUSMA's HRPD stated that on May 22, as a COVID-19 mitigation measure, the president of the CMA pardoned 21 persons who the HRPD contended were being illegally detained.

On June 23, the Fulani organization, Tabital Pulaaku, denounced the arbitrary arrest of civilians in the town of Niaouro in the circle of Djenne. Fulani organizations also denounced the unlawful arrest of approximately 20 persons in the village of Nema in the circle of Bankass on July 5, following attacks on the Dogon villages of Gouari, Diimto, Diallaye, and Pangabougou which killed at least 32 civilians. The organization alleged these individuals were arrested based solely on their ethnic origin. While many were subsequently released, others were transferred to Bamako.

On August 18, in the wake of the military overthrow of the government, more than a dozen military and government officials, including the president and the prime minister, were arrested and held at the military base at Kati. Following repeated interventions and demands for their release by the Economic Community of West African States (ECOWAS), the diplomatic community, and human rights organizations, on August 27, the president was released and placed under house

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arrest. Following hospitalization in Bamako, on September 5, he was permitted to leave the country to seek medical attention. At least 13 members of the former government, including the prime minister, the president of the National Assembly, and military leadership, remained in custody until their release without charge on October 7, following the September 25 swearing in of the president and vice president of the transition government. While some human rights organizations were never permitted access to them, others reported delays before eventually being granted access to the detainees while in custody. One such organization reported that some of the detainees referred to themselves as “hostages” and that the detainees stated their right to information and visits were not respected.

According to local press, on August 18, Boubacar Keita, the son of the deposed former president, was also detained and as of December continued to be held under house arrest at his father’s family home. In a letter attributed to Boubacar Keita, he lamented his conditions, noting, “I would like to remind you that since the confiscation of [my] phones, I have not been able to hear from my wife, my children and the family in general, only orally, sporadically, and only through an intermediary.”

Pretrial Detention: There are three categories of chargeable offenses or crimes: contraventions, misdemeanors, and felonies. The law provides for trial to occur within prescribed periods of time, depending on sentencing tied to conviction of the offense charged. For the contraventions, akin to minor misdemeanors, with a sentencing exposure of one to 10 days or a monetary fine, there is no pretrial detention, since no investigation period is necessary. For serious misdemeanors where sentencing exposure for conviction is less than two years of incarceration, detention is limited to six months, which may be renewed once for a total legal pretrial detention period of one year. For minor felonies with a sentencing exposure ranging from two years to five years or serious felonies with potential sentencing ranging from five years to life (or the death penalty), a defendant may be detained for a year, renewable twice, for a total legal pretrial detention period of three years. Despite these legal restrictions, excessive pretrial detention beyond legal limits 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

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of September, 69 percent of inmates were in pretrial detention.

On January 28, the 2012 coup leader Amadou Sanogo, first arrested in 2013, was ordered released by the Appeals Court of Bamako. Authorities cited the fact that his detention period exceeded legal limits on pretrial detention as one of the reasons for his release, although many saw his conditional release as politically motivated.

In April, due to the COVID-19 pandemic, convicted felons were granted early release to minimize the spread of the virus, but such measures were not taken for pretrial detainees.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary and the right to a fair trial, 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. One judicial employee noted military interference and noncompliance with summons for military members, alleging members of the Gendarmerie refused to support the judiciary in carrying out arrest warrants when requested. 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

While the constitution provides for the right to a fair trial, and the judiciary generally tried to enforce this right, inadequate staffing, logistical support (such as translators), infrastructure (insufficient number of court buildings), as well as undigitized records and case management systems, security concerns, and political pressure sometimes interfered with or hampered trial processes. Proceedings often were delayed, and some defendants waited years for their trials to begin, and in many cases, beyond legal pretrial detention limits before having their case heard.

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The law presumes that defendants are innocent until declared guilty by a judge. Defendants 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 where courtrooms were closed to protect the interests of victims or other vulnerable parties to the case, trials generally were public.

Defendants have the right to communicate with an attorney of their choice (or to have one provided at public expense for felony cases and cases 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 private attorneys, 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. For example, on May 9, security forces arrested Clement Dembele, chairman of the Platform against Corruption and Unemployment, shortly after he released a Bambara language video on social media advocating for large-scale civil disobedience. On May 25, following his release, Dembele recounted in a media interview having a hood placed on his head before being taken into custody. He stated he was held by the DGSE and detained with terrorist suspects before being placed in an underground isolation cell. Following the intervention of the CNDH, Dembele was eventually presented to the Bamako Commune I prosecutor who charged him with using the press to incite the disobedience of the security forces. On September 2, his case was heard, and on September 30, it was dismissed by the tribunal.

According to the National Directorate for Penitentiary Administration, as of August authorities detained 372 persons charged with terrorism in connection with the conflict in the northern and central parts of the country. Some of those

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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. At year's end, however, there was no clear indication 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 abuses. They may appeal their cases to the ECOWAS Court of Justice and the African Court on Human and Peoples' Rights. In cases of hereditary 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 unlawful interference with privacy, family, home, and correspondence, 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 National Movement for the Liberation of the Azawad (MNLA), High Council for the Unity of Azawad (HCUA), and the Arab Movement of Azawad (MAA); northern militias aligned with the government, including the Movement for the Salvation of Azawad and Imghad Tuareg and Allies Self-Defense Group (MSA and GATIA); and terrorist and extremist organizations, including the ISIS in the Greater Sahara (ISGS), JNIM, MLF, and al-Murabitoun, committed serious human rights abuses in the northern and central parts of the country. Most human rights abuses committed by the military appeared to target Fulani, Tuareg, and Arab individuals and were believed to be either in reprisal for attacks attributed to armed groups associated

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with those ethnicities or as a result of increased counterterrorism operations.

Government and French troops targeted terrorist organizations--including al-Qa'ida in the Islamic Maghreb, Ansar Dine, MLF, al-Murabitoun, JNIM, and ISGS--that were not party to the peace talks or the resulting accord. These terrorist organizations often maintained links to armed groups participating in the peace process.

The government failed to pursue and investigate human rights abuses in the North, which was widely controlled by CMA. Despite international assistance with investigating some human rights cases in the center, there is no evidence any were prosecuted there. Human rights organizations maintained that insufficient resources, insecurity, and a lack of political will were the largest obstacles to fighting impunity.

Killings: The military, former rebel groups, northern militias whose interests aligned with the government, and terrorist organizations killed persons throughout the country, but especially in the central and (to a lesser extent) northern regions. The HRPD reported more than 700 civilian deaths during the first six months of the year. It stated that from January 1 to March 31, 82 percent of conflict-related civilian deaths occurred in Mopti and Segou Regions. The report noted similar trends from April 1 to June 30.

Ethnic Fulani in the central Mopti and Segou Regions reported abuses by government security forces. According to the HRPD first quarterly report, on February 16, a total of 19 individuals suspected of terrorist activities were allegedly arrested by FAMa soldiers in the Circle of Niono, Segou Region. The HRPD went on to report that 13 of the suspects were killed and six forcibly disappeared. As of August the Gendarmerie was conducting an investigation into these extrajudicial killings and forced disappearances, and the Ministry of Defense directed a military prosecution of members of the detachment, including the lieutenant who commanded the detachment.

According to MINUSMA, on June 5, a military convoy of approximately 30 vehicles entered the village of Binedama in Mopti, allegedly accompanied by a group of traditional Dozo hunters, and indiscriminately opened fire on the

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villagers, killing 37 (including three women and children). MINUSMA's HRPD report alleged at least three victims were burned to death when their homes were set ablaze; granaries were also set on fire during the attack.

HRPD's quarterly report, covering the period April to June, alleged that between June 3 and June 6, the FAMA killed or summarily executed at least 61 individuals during the course of three separate raids in the villages of Yangassadiou, Binedama, and Massabougou in the central area of the country. In some cases (specifically with respect to the attacks in Yangassadiou and Binedama but not Massabougou), the FAMA were reportedly accompanied by traditional Dozo hunters. Regarding the attack in Massabougou, the report stated, "On June 6, around 11 a.m., FAMA elements in several military vehicles raided the village of Massabougou (Dogofry Commune, Niono Circle) during which they searched houses and arrested nine villagers whom they summarily executed near the village cemetery. According to credible sources, the raid was carried out by FAMA elements sent on patrol following an armed attack on a military post in the village of Sarakala (located 20 miles northeast of the city of Segou) by unidentified armed elements at approximately 3 a.m. on the same day." The Gendarmerie conducted an investigation into the allegations in Massabougou, and the Ministry of Defense directed a military prosecutor in Mopti to prepare legal proceedings against the detachment including its commander.

Terrorist groups and unidentified individuals or groups carried out many attacks resulting in the deaths of members of the security forces and signatory armed groups, peacekeepers, and civilians. For example, on October 13, JNIM attacked a FAMA outpost in Soukoura town in the central Mopti Region that left nine soldiers dead; shortly thereafter, JNIM killed at least two more soldiers who had been sent as reinforcements to the base. On October 15, one peacekeeper was killed and others injured when the convoy in which he was travelling struck an IED near Kidal. Amnesty International reported that on July 1, unidentified armed individuals in a convoy of at least 60 motorbikes and armed vehicles killed community, civil society, and religious leaders as they attacked the villages of Panga Dougou, Djimdo, Gouari, and Dialakanda in the communes of Tori and Diallassagou in the Bankass Circle of Mopti Region. They first attacked Panga Dougou, killing at least one person, before continuing to Djimdo where an

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additional 15 persons were killed, and then on to Gouari, killing at least 16 others and injuring four more. The attackers also reportedly stole cattle and motorbikes, and the insecurity prevented farmers from cultivating crops.

Intercommunal violence related to disputes regarding transhumance (seasonal migration) 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 regarding increased intercommunal violence in Mopti Region, mainly between pastoralist Fulani and agriculturalist Dogon ethnic groups. According to the HRPD, intercommunal violence resulted in more than 350 civilian deaths as a result of 98 separate attacks in the first six months of the year. The data further revealed that Fulani self-defense groups were responsible for 81 attacks that resulted in the deaths of at least 250 Dogons, while Dogon and Dozo self-defense groups were responsible for 17 attacks resulting in the deaths of nearly 100 Fulanis.

On February 14, more than 35 villagers were killed in the village of Ogossagou by an ethnic militia. According to reports the attack occurred hours after the country's military abruptly vacated their nearby post without replacement. The military post was established following an attack on the same village in March 2019 that left more than 150 villagers dead. According to several reports, for many hours prior to the attack, local villagers alerted the military, MINUSMA, and local government to their fear that an attack was imminent. The attack ended only after Malian and MINUSMA troops eventually returned to the village. A MINUSMA human rights fact-finding mission concluded that armed men from the Dogon community planned, organized, and conducted the attack, resulting in the death of at least 35 Fulani villagers, three injured, and 19 more missing. According to Human Rights Watch reporting, the government noted that disciplinary actions would be taken in response to what it called a "tactical error," pending an investigation. Army Chief of Staff Keba Sangare was relieved of his post following the attack. Sangare remained in the military, however, and was later appointed a governor. MINUSMA also announced an investigation into the attack, which occurred one hour after peacekeepers passed through the village.

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Two individuals were arrested and detained, and arrest warrants were also issued against three other individuals in connection with the February 14 attack. Of the 10 suspects who were arrested following the March 2019 attack against the same village, seven remained in detention, while three were released due to a lack of evidence. The case, which was being investigated by the Specialized Judicial Unit that has jurisdiction over terrorism and transitional crime, continued at year's end.

In June and July, there were several reports of peace agreements between Fulani and Dogon communities in several parts of Koro Circle, Mopti Region, which allowed the latter to cultivate their farms and the former to go to local markets. The government was reportedly not part of brokering these peace agreements; rather, local contacts reported they were brokered by community leaders, sometimes with the assistance of NGOs. Violent extremist organizations were also rumored to have aided in brokering some agreements.

Abductions: Jihadist groups; the CMA alliance of the MNLA, HCUA, and MAA; and militias in the Platform, such as GATIA, reportedly held hostages.

A Colombian national Roman Catholic missionary Cecilia Narvaez Argoti, captured in 2017 in Koutiala, in the southern part of the country, remained in captivity with terrorist groups. On October 8, the transition government announced the release of French humanitarian Sophie Petronin along with local political opposition leader Soumaila Cisse and Italian citizens Pierluigi Maccalli and Nicola Chiacchio as part of a prisoner exchange. On March 25, Cisse was captured while campaigning for legislative elections in the Timbuktu Region, reportedly by the MLF, a JNIM affiliate. Edith Blais of Canada and Luca Tacchetto of Italy, abducted in Burkina Faso in 2018, escaped terrorist custody, according to a UN spokesperson on March 13.

Physical Abuse, Punishment, and Torture: Human rights NGOs reported a number of instances of conflict-related physical abuse, torture, and punishment perpetrated by the MDSF, armed groups, ethnic self-defense groups, and terrorist organizations.

Child Soldiers: For the first time since 2014, the UN's annual *Report on Children and Armed Conflict* alleged that FAMa recruited and used children in domestic

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capacities. As of October all children known to have been recruited and used by FAMA had been released.

CMA and some armed groups in the Platform, including GATIA, reportedly recruited and used child soldiers in combatant and noncombatant roles.

The United Nations documented the recruitment and use of children between ages nine and 17, by armed groups--including by some that received support from and collaborated with the government--and in some cases also by the MDSF.

According to two reports of the UN secretary-general to the Security Council covering the first five months of the year, the United Nations documented 164 cases of recruitment and use of child soldiers, which included 127 by signatory armed groups in the North, 21 by the MDSF, 14 by Katiba Macina in Segou and Mopti, and two by Dan Na Ambassagou in Mopti. According to those reports, many of the children--including all of those known to be recruited and used by FAMA--were released back to their families following UN intervention. The HRPD also reported it collected information regarding the exploitation of children in the gold mines controlled by the CMA in Kidal and that within the framework of the "Tagaste" operation to strengthen security in Kidal, children were used to manage checkpoints. Other organizations reported on the recruitment and use of child soldiers, including the National Directorate for the Protection of Children and Families, which reported that as of October 6, it had identified 70 such cases during the year, among 290 cases since 2013.

In June the United Nations also published its annual *Report on Children and Armed Conflict* covering January 2019-December 2019, a period during which it verified the recruitment and use of 215 children (189 boys, 26 girls) between ages nine and 17 in most cases by armed groups, but also by the MDSF, for the first time since 2014. In 140 of these cases, the children had been recruited and exploited in previous years. The United Nations identified CMA, MNLA, MAA, HCUA, and Platform members, including GATIA, among armed groups responsible. The MDSF reportedly recruited and used 24 children from the Gao Region in support roles as couriers and domestic help; in November 2019 these 24 children were released to their families or an international organization for care.

The government did not report any investigations, prosecutions, or convictions of

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corrupt and complicit officials or traffickers for any child-soldiering offenses during the year.

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: There were attacks on the MDSF, peacekeepers, international forces, and international humanitarian organizations. Lethal attacks targeted local, French, and international forces in the central and northern regions of the country and resulted in the deaths of dozens, if not hundreds, of the country's soldiers (the government does not provide aggregate data related to MDSF deaths) as well as deaths of peacekeeping and international forces. For example, among numerous other attacks, on March 19, a total of 30 soldiers were killed and 20 injured in an attack in Gao, and on April 6, another 25 soldiers were killed and 12 injured in another attack in Gao. On May 10, three Chadian peacekeepers were killed and four others wounded in an IED blast in Aguelhoc, in the North. In September, two French soldiers associated with France's Operation Barkhane were killed and one was wounded in the northern region of Tessalit when their armored vehicle struck an IED. The United Nations also reported an increase in attacks against peacekeepers and humanitarians in the North. Several nongovernmental organizations reportedly suspended operations in various regions of the country periodically due to insecurity.

As of November 30, MINUSMA suffered at least 231 fatalities since the beginning of MINUSMA's mission in 2013. According to MINUSMA, as of October authorities tried no cases related to peacekeeper deaths.

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 Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views with some restrictions. There was generally good public access to private radio stations and newspapers. In July,

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when tens of thousands of protesters took to the streets, state-owned media coverage was minimal; however, coverage by private media was ample. On December 18, the transition government declared a state of emergency related to the COVID-19 pandemic. According to a letter sent from the Ministry of Territorial Administration to regional and local authorities, this state of emergency granted authorities the power to take “all necessary measures” to control the press, social media, and all nature of publications, including radio and television broadcasts (see also section 1.e, Political Prisoners and Detainees).

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” were euphemisms for a pay-for-coverage system, with better financed organizations often receiving more favorable press coverage.

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. According to Reporters without Borders, a reporter for the newspaper *L’Independant* was briefly arrested after reporting on the COVID-19 epidemic in the country. 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 due to the security situation.

Censorship or Content Restrictions: The High Authority for Communication, the country’s media regulator, is the only authority empowered to issue legal rulings on media content.

Libel/Slander Laws: The law imposes fines and prison sentences for conviction of defamation. In the wake of the COVID-19 pandemic, Ami Maiga filed a complaint against two journalists of Ouverture Media who alleged Maiga knowingly boarded a plane from France to the country while “infected with COVID-19.” On September 30, the two defendants were convicted of defamation. They received substantial monetary fines and were ordered to pay damages to

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Maiga of six million CFA (\$10,400).

National Security: The law criminalizes offenses such as undermining state security, demoralizing the armed forces, offending the head of state, sedition, and consorting with the enemy. In late December, five prominent figures were arrested for allegedly conspiring to destabilize the transition government. On December 31, the public prosecutor's office announced that six individuals were under investigation for "plotting against the government" and "offending the head of state." Those facing charges included the five who were arrested, including a popular radio presenter, as well as Boubou Cisse, former president Keita's prime minister, whose whereabouts were unknown, according to the public prosecutor.

Internet Freedom

During the July protests, the government restricted and interrupted internet access across the country. In its November report focused on human rights abuses committed during those protests, MINUSMA's HRPD noted that various social media platforms, including Twitter, Facebook, and Instagram, and messaging applications Messenger and WhatsApp, were rendered inaccessible on the Orange and Malitel networks during the protests. The internet freedom NGO, NetBlocks, similarly reported that amid the antigovernment protests between July 10 and July 15, social media and messaging were restricted. The Malian Association of Online Press Professionals condemned the disruption.

There were no credible reports suggesting the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no censorship-related government restrictions on academic freedom and cultural events. Nevertheless, COVID-19 mitigation measures imposed by the government in some instances restricted cultural and educational events. Some artists and students expressed concerns regarding the possible long-term impact of

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these restrictions.

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. From June to August, antigovernment protesters organized several demonstrations demanding increased government transparency and the resignation of then president Ibrahim Boubacar Keita following the Constitutional Court's announcement of final legislative election results, which overturned the provisional results of at least 30 seats. According to several reports, state security forces were deployed to disperse protesters and, in some instances, looters. Several media outlets, human rights organizations, and MINUSMA's HRPD reported the use of live ammunition as well as tear gas by security forces and accused them of using excessive and deadly force (see section 1.a.).

In conjunction with the protests and calls for civil disobedience, several leaders of the M5-RFP movement were arrested and detained at the Gendarmerie Camp I for at least 48 hours. MINUSMA's HRPD reported that during the July 10-13 protests, at least 200 persons were arrested and detained at the Gendarmerie Camp I and at several police stations in Bamako. Protests in Kayes also led to arrests in that city. Although large numbers of protesters were arrested, judicial records indicated only 21 were prosecuted. Protesters arrested and prosecuted were charged with disturbing the peace and inciting violence. Two were found not guilty while the remaining 19 were sentenced to a range of 45 days' to 12 months' imprisonment. By decision of the Appeals Court, they were released in September.

In March the government imposed restrictions on public gatherings as part of the COVID-19 response.

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 lesbian, gay, bisexual, transgender, and intersex (LGBTI) community. There were no known LGBTI organizations in

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the country, although some NGOs had medical and support programs focusing specifically on men having sex with men.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/international-religious-freedom-reports/>.

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.

In-country Movement: While in-country movement was not formally restricted, the military and some militias established checkpoints ostensibly to maintain security. The unstable security situation, flooding, poor road conditions, and armed groups' purposeful targeting of infrastructure, such as bridges, also 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.). MINUSMA and NGOs complained they were often hindered from conducting patrols or carrying out humanitarian missions as a result of impromptu checkpoints by various militias and armed groups such as the Dan Na Ambassagou and CMA.

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.

Foreign Travel: As a result of COVID-19 mitigation measures, on March 17, the government issued a decree closing all airspace and land borders. On July 25 and July 31, it was lifted for airspace and land borders, respectively. On March 26, the government also implemented a curfew, which it lifted on May 9.

On August 19, following the August 18 overthrow of the government by the military, the National Committee for the Salvation of the People (CNSP) closed airports and imposed a curfew. On August 21, the CNSP reopened the airport and

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borders; however, land and airspace borders with ECOWAS states remained closed until October 6, as a result of sanctions imposed by ECOWAS in response to the overthrow of the government. On September 6, the CNSP lifted the curfew.

e. Status and Treatment of Internally Displaced Persons

The security conditions in the North and central part of the country, including frequent intercommunal violence, forced many persons to flee their homes, sometimes seeking refuge outside the country. Furthermore, regional insecurity, particularly in neighboring Niger and Burkina Faso, also led to the return of Malian refugees and the arrival of Nigerien and Burkinabe refugees. The Office of the UN High Commissioner for Refugees (UNHCR) reported 287,496 internally displaced persons (IDPs) in the country as of October 31, and 143,301 Malian refugees in neighboring countries (Burkina Faso, Niger, and Mauritania) as of September 30. Approximately 100,000 IDPs were registered during the previous 12 months, and an estimated 40 percent of all IDPs were registered in Mopti Region. Insecurity related to terrorism and banditry remained a challenge in much of the country. Intercommunal violence and ethnic conflict in the central part of the country continued to cause insecurity and displacement concerns. According to the UN's Office for the Coordination of Humanitarian Affairs (OCHA), children constituted 58 percent of IDPs in the country.

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 one-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 throughout the country as access permitted.

f. Protection of Refugees

The government generally cooperated with UNHCR and other humanitarian organizations in providing humanitarian assistance, including some protection services to IDPs, refugees, asylum seekers, and other persons of concern. Security

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restrictions and failure to uphold the 2015 Algiers Peace Accord affected the delivery of humanitarian assistance.

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. Approximately 15,000 refugees registered in the country were of Afro-Mauritanian origin.

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.

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, but with some difficulty.

Elections and Political Participation

Recent Elections: Originally scheduled for October 2018, after repeated delays, on March 29, legislative elections were held nearly 18 months late. On April 19, runoff elections took place. The electoral campaign was strongly affected by security conditions in the central and northern regions. Restricted freedom of movement, logistical challenges, allegations of voter intimidation and elections tampering, and financial limitations prevented many opposition candidates from campaigning in much of the central and northern parts of the country. On March 25, opposition leader Soumaila Cisse was captured--reportedly by the MLF (a JNIM affiliate) while campaigning for legislative elections in the Timbuktu Region. On October 8, he was released.

According to MINUSMA, an estimated 5,000 election monitors deployed throughout the country reported incidents of voter suppression and intimidation, election material destruction, and kidnapping in the central and northern parts of

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the country. COVID-19, insecurity, and allegations of election tampering and intimidation led to low voter turnout (reported by the United Nations at 35 percent for the first round and 36 percent for the second round) and contested results. On April 30, the Constitutional Court changed the provisional results for 30 seats that had been announced by the Ministry of Territorial Administration, which oversees elections. The final results were widely contested across the country, sparking a political crisis and sometimes violent demonstrations from June to August, drawing to the streets tens of thousands of protesters demanding the president's resignation, the dismissal of the National Assembly, and the resignation of the members of the Constitutional Court (see also section 1.a.).

Following a military mutiny on the morning of August 18, which resulted in the arrest of several members of the government and military, then president Keita, was arrested the evening of that same day. Shortly after midnight on August 19, Keita gave a short televised address in which he resigned as president and dissolved the government and the National Assembly. Later on the morning of August 19, the leaders of the mutiny announced the formation of the CNSP, a military junta. ECOWAS swiftly imposed sanctions on the country, initially demanding an immediate return to constitutional order and eventually agreeing to an 18-month civilian transition government. On September 24, a former minister of defense, retired Colonel Major Bah N'Daw, was sworn in as president of a transition government, and CNSP president Colonel Assimi Goita was sworn in as transition government vice president. On September 27, N'Daw named former minister of foreign affairs (2007-09) Moctar Ouane as prime minister of the transition government. On October 1, the transition charter was published; however, it does not specifically elucidate the line of succession in the event of the president's incapacitation (see section 1.d, Arbitrary Arrest).

Participation of Women and Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. Cultural or religious factors, however, sometimes limited women's political participation in formal and informal roles due to a perception that it was taboo or improper to have women in such roles. A 2015 law 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

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implemented in former president Keita's first cabinet of his second term, in which 11 of 32 ministers were women. In his second cabinet formed in April 2019, however, eight of the 38 ministers were women. Four of the 25 ministers of the transition government were women.

Compliance with the law mandating female candidate participation was nearly achieved for the March and April legislative elections, with 41 seats of the 147-member National Assembly going to women, representing 28 percent of the National Assembly. This represented an increase from the previous National Assembly, in which 14 seats were held by women. The National Assembly was ultimately dissolved by former president Keita, following the overthrow of the government on August 18 and his resignation and dissolution of the government on August 19.

Before it was dissolved on August 19, 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 cabinet of former prime minister Boubou Cisse included one nomadic ethnic minority member.

Three Tuareg members of the dissolved National Assembly elected during the March and April elections were members of northern armed groups, including one member from Gao representing MAA, one member from Kidal representing HCUA, and one member from Ansongo representing CMA. A member of the Dogon ethnic self-defense group, Dan Na Ambassagou, was also elected from the circle of Koro.

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.

Corruption: Corruption in all sectors of the administration was widespread. Authorities did not hold police accountable for corruption. Officials, police, and

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gendarmes frequently extorted bribes.

In 2019 and July, the general auditor released reports on government and public institution waste, fraud, and abuse. The country's embassies in Abidjan, Cairo, and Addis Ababa were investigated for financial irregularities amounting to 1.16 billion CFA (\$2.01 million), 2.6 billion CFA (\$4.51 million), and 15.6 million CFA (\$27,000), respectively. The irregularities were reportedly related to exchange rate manipulation, unauthorized obligations of funds, and undue financial gains provided to certain personnel at these Embassies. As of October the case continued. In October 2019 the former mayor of Bamako was prosecuted, convicted, and imprisoned for alleged corruption related to a 2010 contract regarding the electrification of Bamako valued at 1.4 billion CFA (\$2.4 million). On May 22, he was released on bail.

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, remained operational, and reported approximately 1,500 officials had filed disclosures since OCLEI became responsible for receiving such disclosures. Although the constitution calls for financial filings to be made public, this did not generally occur. While the transition charter does not specifically require disclosures, it is understood that the constitution still applies where it is not in contradiction with the transition charter.

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

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without government restriction, investigating and publishing their findings on human rights cases. According to human rights organizations, government and military officials were generally not found to be transparent, cooperative, or sufficiently responsive to calls for investigations and prosecutions of allegations of human rights abuses by the MDSF.

Government Human Rights Bodies: The CNDH is an independent institution that 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 gave more control of the CNDH's budget to the organization, 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 abuses including the second Ogossagou massacre and the Diandioume antislavery activist killings.

The Ministry of Defense established at least three commissions of inquiry during the year to investigate allegations of forced disappearances perpetrated by the military in Yangassadiou, Binedama, and Massabougou in the Mopti and Segou Regions. The commissions released sealed reports to the Ministry of Defense, which resulted in the opening of judicial investigations in at least two cases; the third allegation was not found to be credible. According to MINUSMA, prosecution orders were signed for military personnel suspected of involvement in serious crimes in the central regions; however, arrest warrants for suspects were not issued as of December. Several earlier cases remained under investigation at year's end.

In December 2019 the Truth, Justice, and Reconciliation Commission, created to accept evidence, hold hearings, and recommend transitional justice measures for crimes and human rights abuses stemming from the 2012 crisis, held its first public hearing at which 13 victims of conflict recounted mistreatment they had suffered. The commission was established in 2014 with a three-year mandate, which was extended through 2021. As of December 18, the commission had heard testimony

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from 19,198 persons.

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

Women

Rape and Domestic Violence: The law criminalizes rape of women and men and provides a penalty for conviction 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 explicitly prohibits spousal rape, but law enforcement officials stated that criminal laws against rape could apply to spousal rape. Police and judicial authorities were willing to pursue rape cases but were also willing to stop pursuing their cases if parties privately reached an agreement prior to trial. This promoted an environment where victims might be pressured by family to accept monetary "compensation" for the crime committed against them instead of seeking justice through the legal system. There were several convictions related to rape and domestic violence during an extended Court of Assizes session that began in August. The court convicted one suspect of pedophilia; he received a sentence of three years' imprisonment. Two suspects convicted of rape and pedophilia each received five-year prison sentences; including a Guinean national convicted of raping a minor. On September 30, an individual convicted of murder and attempted rape was sentenced to death.

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 believed 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; the *2018 Mali Demographic and Health Survey* concluded that 79 percent of women and 47 percent of men still believed this behavior was justified. The same survey found 49 percent of women experienced spousal violence

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(emotional, physical, or sexual); 43 percent of women ages 15 to 49 experienced physical violence; and one in every eight women (13 percent) experienced sexual violence. Of women who experienced domestic violence, 68 percent never sought help or told anyone.

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. Conviction of assault is punishable by prison terms of one to five years and substantial fines. The sentence may be increased up to 10 years' imprisonment if the assault is found to be premeditated. Nonetheless, police were often reluctant to intervene in cases of domestic violence. Additionally, many women were reluctant to file complaints against their husbands due to financial dependence concerns, or to avoid social stigma, retaliation, or ostracism. The Ministry of Justice Planning and Statistics Unit, established to track prosecutions, did not produce reliable statistics.

On September 21, following a complaint from his girlfriend, prominent singer Sidiki Diabate was arrested by the Bamako police judicial investigations unit for allegations of domestic violence and sequestration. A robust social media campaign denouncing the artist also resulted in him being dropped from concert appearances. On September 24, he was formally charged and imprisoned. On September 26, the Platform Against Gender-Based Violence held a march in support of victims of gender-based violence. On October 2, supporters of the artist announced a demonstration in his honor, but it was cancelled. Local media reported Diabate was provisionally released on bail on December 29; his trial was pending at year's end.

According to MINUSMA, extremist groups were also responsible for intimidating and threatening women into "modesty" by imposing the veil on women in the regions of Timbuktu and Mopti. Reportedly, in the Dianke area of Timbuktu, several unveiled women were threatened, while in Binedama in the Mopti Region, all women were forced to wear a veil. The United Nations also reported an increase in conflict-related sexual violence attributable to extremist armed elements and signatory armed groups in the northern and central parts of the

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country.

In the March 20 report of the UN secretary-general to the Security Council on the situation in the country, MINUSMA documented at least eight cases of conflict-related sexual violence. According to the report, “The cases included the forced marriage of four girls by alleged extremist elements in Timbuktu Region; the rape of two women, reportedly by Mouvement pour le salut de l’Azawad members in Menaka; the gang rape of a girl, imputed to elements of the Coordination des mouvements de l’Azawad et Front patriotique de resistance in Gao; and the sexual assault of a five-year-old girl, perpetrated by a member of the MDSF in Gao.”

According to MINUSMA, following a January 21 workshop discussing the role of the High Islamic Council in countering conflict-related sexual violence, the president of the High Islamic Council signed a declaration, making commitments to prevent gender-based violence, including the issuance of a fatwa to denounce conflict-related sexual violence.

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 ages six months and nine years. According to the *2018 Mali Demographic and Health Survey*, 89 percent of women ages 15-49 were circumcised, but this varied widely by geographic location with rates as low as less than 2 percent in Gao to more than 95 percent in Koulikoro and Sikasso. Approximately 76 percent of circumcisions occurred prior to age five, and circumcision was almost always performed by a traditional practitioner (99 percent). According to the survey, approximately 70 percent of men and 69 percent of women believed excision was required by religion and three-quarters of the population, regardless of gender, believed the practice should continue. 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

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children of educated parents.

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

Reproductive Rights: By law couples and individuals have the right to decide the number, spacing, and timing of their children, and to manage their reproductive health free from discrimination, coercion, or violence. Many couples and individuals, however, lacked the information and means to enjoy these rights.

While no government policy adversely affected access to contraception, women and girls faced cultural and social barriers such as the consent of their husbands and influential members of the household to manage their reproductive health.

Distance to health-care facilities and flooded roadways during rainy season negatively affected the ability of those living in rural areas to access adequate healthcare easily.

In accessing information about their reproductive health, women with disabilities faced distinct barriers, such as physical barriers to entry into health-care facilities, communication barriers, discriminatory and disrespectful treatment from health-care providers, and the lack of reproductive health information in accessible formats.

While government sexual and reproductive health services were available to survivors of sexual violence, including survivors of conflict related sexual violence, the services were rarely specialized. In instances of gender-based violence such as sexual violence, survivors often sought care from general health facilities. Through Spotlight, an initiative supported by the European Union and the UNFPA and UN Women, the country provided specialized assistance to survivors of gender-based violence, including family planning counseling, at the referral health center level via 10 “one-stop centers” in Bamako, Gao, Mopti, Kayes, and Koulikoro.

The maternal mortality rate was estimated at 325 per 100,000 live births, and 67 percent of women delivered in a health center assisted by skilled health workers.

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The key drivers of maternal mortality included poor access to and use of quality antenatal, delivery, and postnatal care services. The primary direct obstetric causes of maternal mortality were hemorrhage (37 percent), eclampsia (11 percent), and sepsis (11 percent). FGM/C was a significant public health problem that contributed to maternal morbidity. According to the UNFPA, the adolescent birth rate was 164 per 1,000.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

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. There were legal restrictions on women holding employment in the same occupations, tasks, and industries held by men. Women had very limited access to legal services due to their lack of education and information as well as the prohibitive cost. Despite the discriminatory nature of the law, the government effectively enforced it.

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.

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

Children

According to 2019 estimates, more than one-half of the population is younger than age 18. As of June the United Nations estimated 2.42 million children were in need of humanitarian assistance. According to UNICEF's data regarding children, repeated attacks 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

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were estimated to be recruited by armed groups annually.

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 may 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 a December 2019 UNICEF report, 13 percent of children younger than five were not registered, while 22 percent of registered children did not receive birth certificates. Lack or inaccessibility of services, lack of birth registration books, and ignorance of the importance of birth certificates by parents were among challenges for birth registration. According to UNICEF, the government registered nearly 90 percent of births in 2019. 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 birth certificates assigned was unknown. Several local NGOs worked with foreign partners to register children at birth and to educate parents regarding the benefits of registration, which is critical for access to education and government services. 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.

Education: The constitution provides for tuition-free universal education, and the law provides for compulsory schooling of children 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. Other factors affecting school enrollment included distance to the nearest school, lack of transportation, shortages of teachers, a protracted teachers' strike from December 2019 to September 13, shortages of 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. According to the *2018 Mali Demographic and Health Survey*, two-thirds of women ages 15-49 had no education, compared with 53

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percent of men in the same age range, and only 28 percent of women were literate, compared with 47 percent of men.

On March 19, in response to the COVID-19 pandemic, the government announced the closure of schools. Compounded with a simultaneous teachers' strike, schools effectively remained closed until September 13, when a salary increase agreement was reached between the teachers' union and the CNSP (the de facto authority following the overthrow of the government). In December schools were again closed in an effort to stymie a second wave of COVID-19 cases. It was estimated that nearly 3.8 million children in the country were affected by school closures during the year.

In June the United Nations reported that conflict had caused the closure of at least 1,261 schools in the regions of Gao, Kidal, Timbuktu, Mopti, and Segou since the beginning of the year. Many schools were damaged or destroyed because rebels sometimes used them as bases of operations. The United Nations also reported the government security forces also sometimes used school compounds as bases. MINUSMA reported that during the first half of the year, at least seven schools were attacked or targeted. Jihadist groups often threatened teachers and communities to close schools that did not offer solely religious instruction. The conflict-related closure of more than 1,261 schools during the year was an increase from approximately 900 closures during the 2018-19 school year, and nearly doubled the number of school closures in the same period in 2017-18. The majority of closed schools were located in the Mopti Region.

Child Abuse: Comprehensive government statistics on child abuse did not exist, but the problem was widespread. Most child abuse cases went unreported. According to MINUSMA's HRPD reports detailing the first six months of the year, 39 children were killed, less than a one-quarter the number reported during the same period of 2019. The United Nations documented 402 cases of grave abuses (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) against 254 children between January and June. 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

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services for such children (see also section 1.g, Child Soldiers).

Child, Early, and Forced Marriage: The minimum age to marry without parental consent is 16 for girls and 18 for boys. A girl age 15 may marry with parental consent with approval of a civil judge. Authorities did not effectively enforce the law, particularly in rural areas, and child, early, and forced 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 UNICEF, 54 percent of women were married by age 18 and 16 percent before age 15.

In some regions of the country, especially Kayes and Koulikoro, girls married as young as age 10. It was common practice for a girl age 14 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, early, and forced marriage.

Sexual Exploitation of Children: The law prohibits the sexual exploitation of children, including commercial sexual exploitation. Penalties for conviction of sexual exploitation of both adults and children are six months’ to three years’ imprisonment and a substantial monetary fine. Penalties for convicted child traffickers are five to 20 years in prison. Penalties for conviction of 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.

Infanticide or Infanticide of Children with Disabilities: Some prostitutes and domestic workers practiced infanticide, mainly due to lack of access to and knowledge of contraception.

Displaced Children: UNICEF reported that, as of March, 79 unaccompanied and separated children had received interim care and protection services since the beginning of the year. According to the OCHA, children made up 58 percent of IDPs in the country.

International Child Abductions: The country is not a party to the 1980 Hague

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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 access to employment, education, air travel and other transportation, health care, the judicial system, and 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. 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 a doctor's recommendation--medical doctors sometimes lacked training in psychology--the court would either send the individual to a mental institution in Bamako or proceed 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

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schools countrywide for deaf persons, it provided almost no resources or other support.

Members of National/Racial/Ethnic Minority Groups

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

There were continued reports of slave masters kidnapping the children of their Bellah slaves. 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 in the Kayes Region to convince communities to abandon the practice of keeping slaves. More than 2,000 families who were displaced in 2019 due to their refusal to be subjected to slavery practices remained displaced and continued to be prevented from farming and accessing social services in the areas of Diema, Nioro du Sahel, and Yelimane in the Kayes Region. In addition, despite government negotiations that allowed for the return of 213 families to Kerouane in Kayes Region, villagers prevented the families from accessing basic needs.

In September human rights organizations reported that four persons in Diandioume, circle of Nioro du Sahel, were bound, beaten, and drowned for refusing the practice of hereditary slavery. At least 95 of their family members fled or were displaced. The CNDH and other human rights organizations condemned the situation and called on the government to take action. At least 30 persons were reportedly arrested as a result.

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 Human Rights Watch, 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, and retaliatory attacks were

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common.

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 large numbers of civilian deaths (see section 1.g, Killings).

In another example, over the course of several hours on July 1, unidentified gunmen attacked the Dogon villages of Panga Dougou, Djimdo, Gouari, and Dialakanda, in the circle of Bankass, Mopti region, killing at least 32 civilians and wounding several others, and burning and looting several houses.

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

The law prohibits association “for an immoral purpose.” Nonetheless, anecdotal evidence suggested there was an upsurge in targeting of LGBTI individuals and their full protection remained in question. In January, reportedly in response to allegations of inappropriate sexual conduct, 15 young men were arrested at a social event. The defendants were apparently targeted for their perceived sexual orientation and were accused of indecency, trafficking in persons, corruption of minors, and rape. Following their arrest, clinics where some of them were receiving HIV care were ransacked and temporarily closed. Observers believed the clinics were targeted for their work serving key populations at risk of HIV. It was difficult to obtain information regarding the specific sequence of events and the young men’s treatment while in police custody. According to the government, their detention was intended to protect this vulnerable group. As of December three of the 15 remained in pretrial detention pending a continuing investigation.

No laws specifically prohibit 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

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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.

HIV and AIDS Social Stigma

Societal discrimination against persons with HIV and AIDS occurred. HIV positivity was often locally perceived to be synonymous with LGBTI. The government implemented campaigns to increase awareness of the condition and reduce discrimination against persons with HIV and 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 2019 a group of persons, including the victim's husband, killed an albino pregnant woman in Kita on the orders of a traditional spiritual leader. Two of the perpetrators were arrested. As of December, the victim's husband remained under arrest and the case remained pending. Singer-songwriter and albino activist Salif Keita noted that men often divorced their wives for giving birth to a child with albinism. Lack of understanding of the condition continued and impeded 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 continued to provide free health care to persons with albinism, advocated for their protection, and provided education to help end their abuse.

On October 3, the Malian Association for the Protection of People with Albinism hosted a press conference in Bamako to demand authorities apply the 2017-21 regional action plan on albinism in Africa. While the plan aims to promote the rights of albinos in the country and across Africa, the association contended that

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since its adoption, authorities have struggled to apply it.

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 may 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 teachers went on strike, calling for

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higher wages, while health professionals in Bamako and Kayes also called for increased resources and personal protective equipment to combat the COVID-19 pandemic.

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 commensurate with penalties for comparable offenses. 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. Officials had 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 conviction includes fines and imprisonment with compulsory hard labor. Penalties may be doubled if a person younger than 15 is involved. Penalties were seldom enforced and therefore were not sufficient to deter violations. Penalties were commensurate with penalties for comparable crimes. According to NGOs, the judiciary was reluctant to act in forced labor cases. The government made little effort to prevent or eliminate forced labor, although it did allocate funding to its antitrafficking action plan. Government officials reportedly interfered in hereditary slavery cases, threatening and intimidating community members in an effort to have charges dismissed.

Most adult forced labor occurred in the agricultural sector, especially rice, cotton, dry cereal, and corn cultivation, and in artisanal gold mining, domestic services,

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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. Girls between ages six and 18 may not work more than six hours per day. 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. This 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 regarding 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 among 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. The penalties for violations were commensurate with penalties for similar crimes but were not

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applied in all sectors.

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 ages 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 northern and central parts of the country (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 were 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

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<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.

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 legal restrictions to women's employment in occupations and tasks considered dangerous, and in industries such as mining, construction, and factories. Women are also legally prohibited from working on the creation or sale of writing and images considered contrary to good morals. 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 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 2018 banks and insurance companies also increased their employees' salaries. In September teachers received a pay increase following strikes in 2019 and during the year.

The legal workweek is 40 hours, except for the agricultural sector, where the legal

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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 93 percent of workers, according to a 2018 International Labor Organization report.

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. Workers often were reluctant to report violations of occupational safety regulations due to fear of losing their jobs.

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. No government agencies provided information on violations or penalties. Labor inspectors made unannounced visits and inspections to worksites 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. A government commission 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. Labor organizations reported employers used cyanide and mercury in

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gold mines, posing a public health risk to workers exposed to them. Inspectors lacked the resources to assemble credible data on dangerous workplaces.