

MALI 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Mali had a constitutional democratic system that was upended in an August 2020 military coup d'état. The country last held presidential elections in 2018, re-electing Ibrahim Boubacar Keita in elections that met minimum acceptable standards. Following the August 2020 coup, a brief period of military rule was followed by a civilian-led transition government in September 2020. On May 24, the transition government was itself overthrown by the military. On June 7, Assimi Goita, one of the August 2020 coup leaders and the former transition vice president, was sworn in as transition president. Repeatedly delayed parliamentary elections were held in March and April of 2020, followed by manipulation of results by the Constitutional Court. Parliament was dissolved after August 2020 and replaced by an unelected National Transition Council.

The National Police report to the Ministry of Security and Civil Protection and have responsibility for law enforcement and maintenance of order in urban areas. The National Gendarmerie has responsibility in rural areas, including a specialized border security unit. The country's defense and security forces consist of the Malian Armed Forces, the National Gendarmerie, and the National Guard, which all fall administratively under the Ministry of Defense. Operational control of the National Guard and National Gendarmerie is shared between the Ministry of Defense and the Ministry of Security and Civil Protection. The National Guard and the army occasionally performed law enforcement 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 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 detains persons only in terrorism and national security cases. Civilian authorities did not always maintain effective control over civilian and military security forces. There were credible reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: 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 a conflict, including unlawful and widespread civilian harm by government forces and nonstate armed groups, as well as unlawful recruitment and use of child soldiers by nonstate armed groups; serious restrictions on free expression and media, including unjustified arrests or prosecutions of journalists and the existence of criminal libel and slander laws; serious government corruption; lack of investigation of and accountability for gender-based violence, including but not limited to domestic and intimate partner violence, sexual violence, child, early, and forced marriage, female genital mutilation/cutting, and other harmful practices; trafficking in persons; crimes involving violence or threats of violence targeting national and ethnic minority groups; existence and use of de facto laws criminalizing consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor.

With occasional notable exceptions, 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. The government did, however, make efforts to address corruption. Impunity for serious crimes committed in the country's northern and central regions continued with few exceptions, in view of the government's lack of control of 80 percent of the national territory. Cases related to massacres, forced disappearances, or other serious human rights abuses rarely moved beyond an investigative phase.

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. Ethnic militias, formed to defend one ethnic group from other ethnic groups or other armed groups, committed serious human rights abuses, including summary executions, the destruction of homes and food stores, and the burning of entire villages. Terrorist groups kidnapped and killed civilians, including

humanitarian workers, and military and peacekeeping forces. Investigations and prosecutions were rare because most abuses occurred in areas that the government did not control.

Section 1. Respect for the Integrity of the Person

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 also section 1.g.). The gendarmerie is responsible for conducting initial investigations into security forces. Cases are then transferred to the Ministry of Justice for investigations into alleged police violence or to the Ministry of Defense's military tribunal for investigations into alleged military abuses. Depending on the infraction and the capacity of the military tribunal, some cases related to military abuses may be processed by the Ministry of Justice.

In reports dated March 26, June 1, and October 1, the UN secretary-general documented that as of August 26, a total of 871 attacks against civilians resulted in the death of 484 civilians, 385 injuries, and 383 abductions. The reports also mentioned 1,556 human rights abuses, including 65 extrajudicial killings, 73 cases of torture, and 444 abductions and or involuntary or enforced disappearances. For example, the March 26 report stated that on March 18, members of the Malian Armed Forces (FAMA) summarily executed two men, injured four other men, and mistreated at least 30 persons in Boni in the Douentza area.

Attacks by extremist groups and criminal elements occurred in the northern regions, in the central part of the country, and in the west. Extremist groups frequently employed improvised explosive devices (IEDs) to target civilians as well as government and international security forces. IEDs were also used repeatedly to target important infrastructure, including major national roads, cutting off communities from humanitarian assistance, important trade routes, and security forces. On February 10, unidentified armed individuals used IEDs to attack a temporary base of the United Nation's Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). The attack seriously injured several peacekeepers. On May 31, an IED boobytrap exploded, killing at least five

persons in the village of Petaka in the Douentza area. On August 15, a FAMA vehicle hit an IED in the Menaka Region, killing three FAMA soldiers.

Terrorist groups, signatory and nonsignatory armed groups to the Algiers Accord, and ethnic militias committed numerous arbitrary killings related to the internal conflict. According to the UN secretary-general's March 26, June 1, and October 1 reports to the UN Security Council, terrorist elements were allegedly responsible for 675 human rights abuses, including killings. Signatory armed groups to the Algiers Accord, including the armed group Platform of Movements (Platform) and the armed group Coordination of Azawad Movements (CMA), were allegedly responsible for at least 76 human rights abuses, including killings, while nonsignatory armed groups were allegedly responsible for at least 356 human rights abuses, including killings.

On March 30, MINUSMA's Human Rights and Protection Division (HRPD) released a report on the findings of the human rights investigation into a January 3 air strike in Bounti by French forces that killed at least 22 persons, including 19 civilians. At least eight other persons were injured by the air strike. In a March 30 communique, the French Ministry of Armed Forces expressed reservations about the methodology used by the United Nations, stated that the report was based on "unverifiable local testimonies" and "unsubstantiated hypotheses," and maintained that the strike had targeted a terrorist group.

Following an April 2 terrorist attack against the MINUSMA base in Aguelhok, killing four peacekeepers and injuring at least 34, peacekeeping forces allegedly killed three persons in Aguelhok that same day. The local population protested, claiming the victims were civilians and demanding MINUSMA relocate its base and clarify the circumstances of the killings. MINUSMA's HRPD noted in its August 30 report that the circumstances of the killings remained unclear.

The UN secretary-general reports also alleged that on April 27, Nigerien armed forces summarily executed at least 19 civilian men during a cross-border operation in Mali's Menaka Region.

On July 21, a unit of the anticriminality brigade of the National Police allegedly shot and killed a boy age 17, Abdoulaye Keita, in Bamako. The incident prompted

protests in the Lafiabougou neighborhood and led to the arrest of six police officers for homicide. At the end of the year, the Commune IV Tribunal of High Instance in Bamako was investigating these alleged crimes.

On September 3, authorities indicted and arrested Oumar Samake, commander of the Special Antiterrorist Force, on charges of murder and assault and battery in connection with the repression of social unrest by security forces in July 2020. After police officers protested the arrest and stormed a prison where Samake had previously been held, Samake was released. On September 6, following several meetings among Samake, police union leaders, the director general of police, and the minister of security, Samake voluntarily surrendered to the gendarmerie in Bamako. He remained in custody as of November.

According to Human Rights Watch, between October 1 and 5, members of the security forces, later identified as FAMa, arrested at least 34 men in and around the town of Sofara in Mopti Region, allegedly in response to an uptick in attacks by terrorist groups, notably an October 1 attack in nearby Marebougou. Three of the arrested men were found dead a few miles from the Sofara military camp on or around October 11, according to local witnesses. In an October 13 communique, FAMa stated that 22 “presumed terrorists” had been transferred from FAMa custody to the gendarmerie for investigation (see also sections 1.b. and 1.c.).

b. Disappearance

There were numerous reports of forced disappearances believed to have been carried out by extremist groups and, in some instances, by the defense and security forces (MDSF) in the central and northern regions of the country. MINUSMA’s HRPD reported that the MDSF were responsible for 29 forced disappearances between January and June.

Human rights observers reported they were unable to verify the whereabouts of dozens of prisoners purportedly detained in connection with the northern conflict. The limited capacity of the Penitentiary Administration to keep accurate records made it difficult to locate individuals within the country’s penal system. Human rights organizations estimated that the General Directorate for State Security (DGSE), the intelligence agency, held at least 60 unacknowledged detainees, but

these organizations noted they did not have access to the DGSE's facilities to verify the estimates. COVID-19 pandemic restrictions prevented many organizations from visiting prisons. Despite being denied access to DGSE facilities, the National Commission for Human Rights (CNDH) reported improved access to detention centers and sensitive detainees.

As of mid-November, the whereabouts of seven of the individuals arrested in October by FAMa in Sofara (see also section 1.a.) remained unknown.

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

The constitution and statutory law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, but reports indicated that FAMa soldiers employed these tactics against individuals with suspected links to extremist groups, including groups affiliated with Jama'at Nusrat al-Islam wal Muslimin (JNIM) (see also section 1.g.). The UN secretary-general's March 26, June 1, and October 1 reports noted 73 instances of torture or cruel and inhuman treatment committed by the MDSF, signatory armed groups, militias, violent extremists, or unidentified armed actors during the first six months of the year.

In response to a video showing mistreatment of a suspect by four uniformed men, an October 13 communique from FAMa related to October arrests in Sofara (see also section 1.a.) pledged to investigate the alleged mistreatment, noting that FAMa had imposed disciplinary actions on the officers involved and that legal proceedings pertaining to their cases were pending with the gendarmerie.

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 extended 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

contributed to impunity within the defense and security forces. Human rights organizations maintained that insufficient resources, insecurity, and a lack of political will were the largest obstacles to fighting impunity.

Prison and Detention Center Conditions

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

Physical Conditions: As of November Bamako Central Prison held approximately 2,920 prisoners in a facility designed to hold 400. There was also significant 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. Prison authorities held pretrial detainees with convicted prisoners. As of November authorities held 200 individuals arrested on charges related to terrorism in the higher security division of Bamako Central Prison and in Koulikoro. The combination of the general security situation, population growth, and overloaded, inefficient courts worsened 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.

As of November the prison administration reported that 17 prisoners and detainees, including three inmates detained on terrorism charges, died in custody due to heart attacks and stress. The CNDH, an independent entity that received administrative and budgetary assistance from the Ministry of Justice, attributed the deaths to unhealthy prison conditions. Authorities had a limited ability to control prisons, including prisoner-on-prisoner violence.

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 were used as toilets. Not all prisoners had access to potable water.

Administration: There were no prison ombudsmen. The CNDH is charged with visiting prisons and ensuring acceptable conditions. The law allows the CNDH to visit prisons without seeking prior permission from prison authorities, although its last visit to a military detention center occurred in 2012 despite several subsequent requests to visit. The government's Penitentiary Administration also investigated and monitored prison and detention center conditions.

Authorities 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 to request investigation of credible allegations of inhuman conditions. Prisoners also made verbal complaints to the CNDH during prison inspections regarding their detention 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 organizations. 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 Kati, where a military detention center was located. Human rights observers with MINUSMA and the International Committee of the Red Cross regularly visited detention centers holding CMA and Platform members. International human rights and humanitarian organizations had access to most of these centers but not to detainees held in facilities operated by the DGSE.

Improvements: The government took steps to improve staff training and physical security measures. A nine-billion African Financial Community (CFA) franc (\$16.4 million) prison construction project in Kenieroba, 30 miles south of Bamako, continued; the prison was partially operational. Although much of the structure was complete, the facility lacked adequate water, electricity, furnishings, and equipment. The prison was designed to hold 2,500 inmates and to meet international standards; as of September it held approximately 400 inmates.

d. Arbitrary Arrest or Detention

The constitution and law generally prohibit arbitrary arrest and detention.

Nevertheless, government security forces arbitrarily arrested and unlawfully detained numerous individuals. Platform, CMA, and terrorist armed groups unlawfully detained individuals in connection with the continued conflict in the northern and central regions (see also 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. Although 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. Detainees have a limited right to bail, but authorities often granted conditional release 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.

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, 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 with transport back to the location of their arrest, trips that often required several days of travel.

Arbitrary Arrest: Human rights organizations reported widespread allegations of

arbitrary arrest and detention by transition government security forces, armed groups, and terrorist groups. 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.

Between September and late October, the DGSE arrested and detained six individuals (Colonel-Major Kassoum Goita, former deputy director of the DGSE; Moustapha Diakite, police commissioner and chief of the Second District of Police in the Kayes Region; FAMA officer Abdoulaye Ballo; Kalilou Doumbia, former secretary general of the presidency during the tenure of former transition president Bah N'Daw; *marabout* (Quranic teacher) Issa Samake; and businessman Sandi Ahmed Saloum). All were accused of plotting against the transition government. On November 5, the prosecutor of the Commune VI Tribunal of High Instance charged them with “criminal conspiracy and attempted assault and conspiracy against the government.”

According to MINUSMA, because the CMA gradually replaced the national government as a de facto authority in the north of the country, the CMA had illegally detained and pardoned individuals being held at the Kidal remand center.

Pretrial Detention: There are three categories of chargeable offenses or crimes: contraventions, misdemeanors, and felonies. The law provides for trials to occur within prescribed periods of time which vary according to possible sentences for the offense charged.

For contraventions, akin to minor misdemeanors, with a sentencing exposure of one to 10 days or a 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' 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 to five years' incarceration, or serious felonies with potential sentences ranging from five years to life in prison (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, pretrial detention beyond legal limits remained a

problem. Judicial inefficiency, the large number of detainees, corruption, and staff shortages contributed to excessive pretrial detention. Individuals sometimes remained in prison for several years before their cases came to trial. As of November approximately 92 percent of inmates were in pretrial detention.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary and the right to a fair trial, but the executive branch exerted 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. In the northern and central regions, due to insecurity, 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 most disputes in rural areas. Justices of the peace had investigative, prosecutorial, and judicial functions. These traditional systems did not provide the same rights as civil and criminal courts.

Trial Procedures

The constitution provides for the right to a fair trial, and the judiciary generally tried to enforce this right. Inadequate staffing, lack of logistical support (such as translators), poor infrastructure (insufficient number of court buildings), 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, in many cases beyond legal pretrial detention limits. 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. Trials generally were public, except in cases involving minors and sensitive family matters, where courtrooms were closed to protect the interests of victims or other vulnerable parties.

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, to access government-held evidence, to confront witnesses, and to present their own witnesses and evidence. The government generally respected these rights. Defendants may not be compelled to testify against themselves or confess guilt. They 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. Local human rights organizations considered the arrest and detention of Kassoum Goita and Kalilou Doumbia (see also section 1.d., Arbitrary Arrest) to be politically motivated. As of November there were an estimated two political prisoners in the country. Medical treatment for political prisoners was sometimes delayed or denied. Human rights and humanitarian organizations had inconsistent access to political prisoners relative to other detainees.

Following the May 24 consolidation of military power, authorities arrested then transition president Bah N'Daw and then prime minister Moctar Ouane and detained them on a military base. Although N'Daw and Ouane were released from detention on May 27, they were subsequently placed under house arrest. On July 1, the CNDH reported it was denied access to N'Daw and Ouane during their detention under house arrest. On August 27, the transition government released N'Daw and Ouane from house arrest.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights abuses. They may appeal their cases to the Economic Community of West African States (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. Conflict-related Abuses

The military and several armed groups committed serious human rights abuses in the northern and central parts of the country. These armed groups included former separatist forces such as the National Movement for the Liberation of the Azawad, High Council for the Unity of Azawad, and the Arab Movement of Azawad; northern militias aligned with the government, such as the Movement for the Salvation of Azawad and the Imghad Tuareg and Allies Self-Defense Group (GATIA); and terrorist and extremist organizations such as ISIS in the Greater Sahara, JNIM, Macina Liberation Front, and al-Mourabitoun. Most human rights abuses committed by the military appeared to target Fulani, Tuareg, and Arab individuals and were believed to be either retaliation for attacks attributed to armed groups associated with those ethnicities or the result of increased counterterrorism operations.

The government failed to pursue and investigate human rights abuses in the north, which was widely controlled by the CMA. Despite international assistance with investigating some human rights cases in the central region, no cases there were prosecuted.

Killings: The military, former rebel groups, northern militias whose interests aligned with the government, and terrorist organizations unlawfully killed persons throughout the country, especially in the central and, to a lesser extent, northern regions. Terrorist groups and unidentified individuals or groups carried out many attacks resulting in the deaths of members of the security force, members of signatory armed groups, UN peacekeepers, and civilians.

Ethnic Fulani in the central Mopti and Segou Regions reported abuses by government security forces. MINUSMA's HRPD reported that on January 11, three civilians were killed by FAMa in Hombori, not far from a FAMa military

base. The HRPD also reported that on January 15, five civilians from the Fulani ethnic group, including an employee of the international NGO Doctors Without Borders who was abducted in the Douentza area on January 10, were found dead near the town of Wami, not far from the Hombori FAMA military base. The HRPD further reported at least 20 civilians were killed and 18 wounded by the MDSF during military operations conducted between April and June.

According to the June report of the UN secretary-general, on March 18, the country's armed forces unlawfully executed two individuals, injured four persons, and mistreated at least 30 others in Boni near Douentza, following the detonation of an IED in the area that injured soldiers. The UN secretary-general's report stated as of June there were 303 conflict-related civilian deaths, including 145 from January to March and 158 from April to June, a decrease from the casualties registered during the same period in 2020. The report also stated that most conflict-related civilian deaths occurred in Mopti Region, Bandiagara, Douentza, and Segou Region.

On August 8, at least 42 civilians were killed in the villages of Ouatagouna, Karou, and Dirga in the Ansongo Circle, Gao Region, by unidentified armed individuals.

Abductions: Jihadist groups; armed groups associated with the CMA alliance; Platform-associated militias, such as GATIA; and ethnic self-defense militia groups reportedly held hostages. In the central region, the ethnic self-defense militia Dan Na Ambassagou (DNA) carried out dozens of abductions of civilians from Dogon villages that did not pay the money that DNA requested in lieu of the forced conscription of the villagers. On April 8, a French journalist, Olivier Dubois, was abducted in Gao. JNIM claimed responsibility for the abduction. Dubois remained in captivity as of November.

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

Child Soldiers: The transition government's National Directorate for the Protection of Children and Families reported that it had identified 30 cases of child soldiers during the year.

There were no known cases of FAMA using child soldiers during the year. On August 18, the militia group GATIA issued a statement expressing its commitment against use of children in armed conflict. On August 26, Platform, the armed group to which GATIA belongs, signed a UN action plan designed to prevent the recruitment and use of child soldiers.

According to two reports of the UN secretary-general to the UN Security Council covering the first nine months of the year, the United Nations documented 275 cases of recruitment and use of child soldiers by armed groups. According to those reports, 199 of the children were released to civilian child-protection organizations following UN intervention. The reports stated the government inappropriately detained some of these children, and that the government held some children comingled with adults in military detention centers. At the end of November, approximately 15 children remained in detention for association with armed groups. According to MINUSMA, four boys were detained between July and September for association with armed groups; however, they were released to child protection civilian partners after one to two days. Since January UNICEF assisted 256 children who were released from armed groups.

The HRPD reported exploitation of children in the gold mines controlled by the CMA in Kidal and that within the framework of a CMA operation to strengthen security in Kidal, children were used to manage checkpoints.

The government reported no investigations, prosecutions, or convictions of corrupt and complicit officials or traffickers for child-soldier 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/>.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for members of the press and other media, but the government occasionally restricted this right. Independent media were active and expressed a wide variety of views with some

restrictions. In December 2020 the transition government declared a state of emergency related to the COVID-19 pandemic; the state of emergency was not renewed as of June 26. According to a letter sent from the Ministry of Territorial Administration to regional and local authorities, the state of emergency granted authorities the power to take “all necessary measures” to control the press, social media, and other media, including radio and television broadcasts. There were no reports, however, that authorities used emergency measures to control the press and media.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: There was generally good public access to private radio stations and newspapers.

Financial considerations 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 threats against journalists. Reporting on the situation in the north remained dangerous due to the presence of active armed groups (see also section 1.g., Disappearances, case of Olivier Dubois).

There were no known restrictions of online media during the year, but journalists or radio announcers were arrested in relation to their work. For example on April 29, independent journalist Malick Konate and radio announcer Issa Kaba were arrested by police in Bamako following publication of their articles denouncing an electricity shortage. They were not formally charged and were released from police custody on April 30.

In July the NGO Reporters Without Borders reported that authorities arrested former DGSE head Moussa Diwara for the 2016 abduction, illegal detention, and

abuse of journalist Birama Toure.

Libel/Slander Laws: The law imposes fines and prison sentences for conviction of defamation.

On May 17, the former head of the Land and Real Estate Sales Agency, Mamadou Tieni Konate, and a radio announcer, Kassim Traore of Radio Kledu, were charged with defamation by the Bamako Commune II Tribunal for claiming Baba Maiga, a local businessman, was involved in corruption. They were convicted and in August they were each sentenced to six months imprisonment and a fine of 150,000 CFA francs (\$270).

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 December 2020 five prominent figures, including popular radio presenter Ras Bath, were arrested for allegedly conspiring to destabilize the transition government. The public prosecutor's office subsequently announced that those five individuals and a sixth (Boubou Cisse, former president Keita's prime minister) were under investigation for "conspiracy against the government, criminal association, and insulting the head of state." The prosecutor accused Bath of instigating public opinion against the transition government through radio broadcasts where Bath criticized transition authorities. In March the Appeals Court of Bamako ordered the dismissal of charges against the defendants, and the Supreme Court confirmed the dismissal on April 19.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports suggesting the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution and law provide for freedom of assembly, but the government did not always respect this freedom. For example, on July 16, the government refused to grant authorization to teachers' unions to hold demonstrations.

Freedom of Association

The constitution provides for freedom of association, although the law prohibits associations deemed immoral. The government generally respected freedom of association, but because the government considered the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community as immoral, freedom of association for members of the LGBTQI+ community remained problematic.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

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, armed groups' deliberate targeting of infrastructure such as bridges, and embargos by armed groups on cities such as Farabougou and Dinangourou also limited freedom of movement. The inhabitants of Gao, Kidal, Timbuktu, and parts of Mopti feared leaving the cities for security reasons, including the threat from IEDs (see also section 1.g., Conflict-related Abuses). MINUSMA and NGOs complained they were often hindered from conducting patrols or carrying out humanitarian missions due to impromptu checkpoints by various militias and armed groups such as DNA and the CMA.

e. Status and Treatment of Internally Displaced Persons

Insecurity, banditry, ethnic conflict, and intercommunal violence in the north and central parts of the country forced many persons to flee their homes, sometimes seeking refuge outside the country. Regional insecurity, particularly in neighboring Niger and Burkina Faso, led to the return of Malian refugees. The Office of the UN High Commissioner for Refugees (UNHCR) reported 401,736 internally displaced persons (IDPs) in the country as of September 30.

Approximately 115,000 IDPs were registered in the previous 12 months.

According to the United Nation's Office for the Coordination of Humanitarian Affairs, children constituted approximately 60 percent of IDPs in the country.

The Ministry of Health and Social Development registered IDPs, and the government assisted IDPs. 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 refugees, returning refugees, and asylum seekers, as well as other persons of concern. Insecurity 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. UNHCR reported 47,884 refugees and asylum seekers as of August 31, most of whom arrived from neighboring Niger, Mauritania, and Burkina Faso. UNHCR also reported 606,617 IDP returnees and 83,712 refugee returnees to the country as of September 30. This significant increase in IDP returnees and the steady increase in refugee flows strained already scarce resources dedicated to

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

Abuse of Migrants and Refugees: Refugees and migrants regularly transited through contested territory where there was often little government control or oversight. During September UNHCR recorded 83 incidents of physical violence towards refugees and migrants by armed groups and border authorities.

Durable Solutions: The government offered naturalization to Mauritanian refugees. During the year the government supported the voluntary repatriation of 57 Ivorian refugees to Cote d'Ivoire. The worsening security situation in the country hindered consideration of resettlement of refugees in the country.

Temporary Protection: The government's National Directorate for Social Development was responsible for providing temporary protection to individuals who may not qualify as refugees. The National Commission for Refugees adjudicated refugee and asylum claims and provided 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 in the past exercised that right, but with some difficulty. The country had a military coup d'état in August 2020, followed by a civilian-led transition government in September 2020 that was itself overthrown by the military on May 24. A new civilian-led transition government was subsequently formed; it announced plans to hold elections by February 27, 2022.

Elections and Political Participation

Recent Elections: Originally scheduled for October 2018, legislative elections were held in March 2020. In April 2020 runoff elections took place. Restricted freedom of movement, logistical challenges, allegations of voter intimidation, election tampering, and financial limitations prevented many opposition candidates from campaigning in much of the central and northern parts of the country. In the months following the legislative elections, the constitutional court vacated key

election results, especially in Bamako District, in favor of the then ruling party. The court's action led to widespread civil unrest and efforts by ECOWAS to resolve the ensuing constitutional crisis.

In August 2020 military officers overthrew the elected government in a coup d'état. The National Assembly was dissolved by then president Keita following the coup. 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. In September 2020 a former minister of defense, retired colonel major Bah N'Daw, was sworn in as president of a transition government, and coup leader Colonel Assimi Goita was sworn in as transition government vice president. Later in September 2020, N'Daw named former minister of foreign affairs Moctar Ouane as prime minister of the transition government. In December 2020, 121 persons were nominated and subsequently confirmed to the National Transition Council (CNT), which played the role of the transition legislature. Goita selected the CNT's members, the plurality of whom hailed from the MDSF.

On May 24, N'Daw and Ouane were arrested by the military, placed in detention for three days, and then placed under house arrest. On June 7, Goita became the new transition president. On June 11, a new government cabinet was formed with Choguel Kokalla Maiga as prime minister. On August 27, the transition government released N'Daw and Ouane from house arrest.

Participation of Women and Members of 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. The 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. Six of the 25 ministers and delegate ministers of the transition government were women.

Compliance with the law mandating female candidate participation was nearly achieved for the March and April 2020 legislative elections, with 41 seats of the

147-member National Assembly going to women, representing 28 percent of the National Assembly. The National Assembly was dissolved following the August 2020 coup.

Section 4. Corruption and Lack of Transparency in Government

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

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

In June the general auditor released reports on government and public institution waste, fraud, and abuse. The management of the COVID-19 Emergency Response Project was investigated from February 18 to June 25 for financial verification and conformity. The investigation revealed irregularities of more than five billion CFA francs (\$9.1 million). On August 26, former prime minister (2017-19) Soumeylou Boubeye Maiga and the former economy and finance minister (2013-15) Bouare Fily Sissoko, were arrested after being charged by the Supreme Court with forgery and falsification of records, misappropriation of public funds, corruption, abuse of influence, and favoritism. On September 21, four military officers were arrested and charged with misappropriation of public funds of the Ministry of Defense.

On November 15, the Appeals Court of Bamako began the second session of a Court of Assizes focusing on corruption cases. On November 17, the court heard the case of Salia Diarra, the mayor of Baguineda in the Koulikoro Region, charged with misuse of public funds totaling nearly 530 million CFA francs (\$964,000). On November 19, Diarra was sentenced to five years' imprisonment. On November 22, the court heard the case of former president of the Chamber of Agriculture Bakary Togola, arrested in 2019 and charged with misuse of public funds and embezzlement totaling 9.5 billion CFA francs (\$17.3 million). On November 29, Togola was acquitted of all charges.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

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

Government Human Rights Bodies: The CNDH was an independent institution that received administrative and budgetary assistance from the Ministry of Justice. The government provided the CNDH with office space and staff. The CNDH's membership included civil society representatives. The CNDH issued statements on several cases of human rights abuses, including the January 3 French forces' airstrike in Bounti and the house arrest of former transition officials.

The Truth, Justice, and Reconciliation Commission was created in 2014 to accept evidence, hold hearings, and recommend transitional justice measures for crimes and human rights abuses stemming from the 2012 crisis when rebel and terrorist groups invaded the country and began attacking military bases and government entities. In the commission's third public hearing in April, 14 victims testified on cases of forced disappearances. According to the UN secretary-general's October report to the UN Security Council, as of September 6, the commission had heard testimony from 22,507 persons, up from 19,198 persons at the end of 2020.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of women and men, with a penalty of five to 20 years' imprisonment for conviction, but the government did not enforce the law effectively. Rape was a widespread problem. Authorities prosecuted only a small percentage of rape cases. Survivors 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 investigated rape cases but were also willing to stop pursuing cases if parties privately reached an agreement prior to trial. This promoted an environment where survivors might be pressured by family to accept monetary compensation instead of seeking justice through the legal system.

In the June 1 report of the UN secretary-general to the UN Security Council on the situation in the country, MINUSMA documented at least two cases of conflict-related sexual violence. According to the report, the cases included the gang rape of a woman by unidentified armed individuals in the city of Menaka on March 27 and the mid-March gang rape of a Fulani woman. The latter was allegedly committed by members of the Dozo ethnic group in Niono, Segou Region.

Domestic violence against women, including spousal abuse, was prevalent. A 2012-13 gender assessment found a vast majority of women in the country suffered from domestic violence. The assessment 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 believed this behavior was justified. The survey found 49 percent of women experienced spousal violence (emotional, physical, or sexual), 43 percent of women ages 15 to 49 experienced physical violence, and one in every eight women 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 because of 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. Police were often reluctant to intervene in cases of domestic violence. Many women were reluctant to file complaints against

their husbands due to financial dependence concerns, or to avoid social stigma, retaliation, or ostracism. The Planning and Statistics Unit in the Ministry of Justice, established to track prosecutions, did not produce reliable statistics.

The United Nations 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 country. UNHCR and NGOs serving refugees and asylum seekers reported rising incidences of gender-based violence against refugees, asylum seekers, and IDPs, attributed to the deterioration of the protective environment for women and girls. Of 3,744 cases of gender-based violence against IDPs reported between January and June, more than half were rapes and physical assaults that took place while women carried out daily activities such as collecting water or firewood and traveling locally. UNHCR reported 196 cases of gender-based violence in the refugee population as of August 31. UNICEF reported that it provided more than 108,000 women and children with access to services related to the mitigation of, prevention of, or intervention in cases of gender-based 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 to 49 were circumcised, but this varied widely by geographic location, with rates ranging from 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 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: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

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

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

In accessing information regarding 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, including emergency contraception, were available to survivors of sexual violence, including survivors of conflict-related sexual violence, the services were rarely specialized and survivors often sought care from general health facilities. Through Spotlight, an initiative supported by the European Union, the UN Population Fund (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 health centers assisted by skilled health workers. The key drivers of maternal mortality included poor access to and use of quality prenatal, 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 UNFPA, the adolescent birth rate was 164 births per 1,000 girls.

There are no legal barriers related to menstruation or access to menstruation hygiene. Sociocultural barriers, however, impeded equal participation of women and girls in society in certain instances. Educational materials on menstrual hygiene management were scarce, and teachers often lacked knowledge on puberty and menstrual hygiene management. In a 2020 NGO study, more than a quarter of girls reported developing a genital condition related to improper menstrual hygiene, and 14 percent of girls missed classes due to pain during a menstrual cycle. According to the same study, more than half of girls attending school had problems concentrating in class due to menstrual periods, and menstruation caused three-quarters of girls to miss school due to the need to go home to change menstrual products to avoid embarrassment.

No law impedes adolescent girls' access to education due to pregnancy or motherhood status. The law allows for the deferment, upon request, of education in secondary school for pregnant students. Many girls and their families were not informed of their rights and social stigma still prevented pregnant girls from attending school. Additionally, a lack of childcare was a barrier to girls' access to education due to motherhood status.

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 as men. Women had very limited access to legal services due to their lack of education, lack of information, and the prohibitive cost. Despite the discriminatory nature of the law, the government effectively enforced it. The Ministry for the Promotion of Women, Children, and the Family is responsible for providing for the legal rights of women.

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.

According to MINUSMA, extremist groups were responsible for intimidating and threatening women into “modesty” by forcing women in the regions of Timbuktu and Mopti to wear a veil. 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.

Systemic Racial or Ethnic Violence and Discrimination

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 slaveholders kidnapping the children of their Bellah slaves. Slaveholders considered slaves and their children as property and reportedly took children of slaves to raise them elsewhere without permission from their parents. The antislavery organization Temedt organized workshops in Kayes Region to convince communities to abandon the practice of keeping slaves.

On August 18, at the end of a regional forum to strengthen social cohesion organized by the Kayes governor’s office and international NGO Mercy Corps, the regional government in Kayes signed a draft charter to end hereditary slavery. This draft charter was supported by NGOs and community leaders as well as the regional government.

On November 4, an investigating judge in Kayes Region ordered the arrest of 36 proslavery suspects for their alleged role in violent attacks against antislavery activists and victims of hereditary slavery in the Bafoulabe Circle that killed one person and injured 12 others on September 28 and 29. The suspects were transferred from a prison in Bafoulabe to Kayes for additional oversight. On November 11, Minister of Justice Mamoudou Kassogue instructed all public prosecutors to prosecute hereditary slavery to the fullest extent of the law.

Members of the Fulani (or Peul) ethnic group frequently clashed with members of

the Dogon and, separately, with Bambara communities regarding alleged Fulani support of armed Islamists linked to al-Qa'ida. According to Human Rights Watch, this tension caused a rise in ethnic “self-defense groups” and drove thousands from their homes, diminished livelihoods, and induced widespread hunger. Groups representing these communities were reportedly involved in several communal attacks, and retaliatory attacks were common.

In the central region, 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 also section 1.g., Killings).

Intercommunal violence related to disputes regarding transhumant (seasonal migration) cattle grazing occurred among Dogon, Bambara, and Fulani communities in the Mopti Region, between Bambara and Fulani in the Segou Region, and among various Tuareg and Arab groups in the regions of Gao, Timbuktu, and Kidal.

Children

According to 2019 estimates, more than one-half of the population was younger than age 18.

Birth Registration: Citizenship is derived from either parent or by birth within the country. The law stipulates 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 stated there were insufficient registration sites to accommodate all villages, further exacerbating the low registration rates in certain areas. According to a 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 parental ignorance regarding the importance of birth certificates were among the 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 that collected biometric data and assigned 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 was critical for access to education and government services. Birth registration also played an essential role in protecting children, as well as facilitating their release and reintegration if recruited by armed groups or detained by authorities.

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 long distances to the nearest school, lack of transportation, shortages of teachers, a protracted teachers' strike during the year, 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, sexual harassment of girls, lack of access to menstruation hygiene, and pregnancy and motherhood status (see also section 6, Reproductive Rights). According to the *2018 Mali Demographic and Health Survey*, two-thirds of women ages 15 to 49 had no education, compared with 53 percent of men in the same age range, and only 28 percent of women were literate, compared with 47 percent of men. According to a UNICEF report in May, more than two million children ages five to 17 did not go to school and more than half of persons ages 15 to 24 were illiterate. An October UN secretary-general's report to the UN Security Council estimated that more than 478,000 children in the country were affected by school closures during the year.

As of June 1, the conflict had caused the closure of at least 1,595 schools in the north and central regions of Gao, Kidal, Timbuktu, Mopti, and Segou. School closures began in June in the southern regions of Koulikoro and Sikasso. Many schools were damaged or destroyed because rebels sometimes used them as bases of operations. The United Nations reported government security forces sometimes

used school compounds as bases. Most closed schools were in Mopti Region.

Child Abuse: Comprehensive government statistics on child abuse did not exist, but the problem was widespread. Most child abuse cases went unreported. The United Nations documented in the March, June, and October UN secretary-general's reports 636 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 467 children between January and September. Police and the social services department in the Ministry of Solidarity and Humanitarian Action investigated and intervened in some reported cases of child abuse or neglect, but the government provided few services for such children (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 and with approval of a civil judge. Authorities did not effectively enforce the law, particularly in rural areas, and child, early, and forced marriage was widespread throughout the country. Girls were also forced into marriage with 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, 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. 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: The government

criminalized the act of infanticide. The August Court of Assizes session heard two cases of infanticide.

Displaced Children: According to an August UNICEF report, children made up approximately 64 percent of IDPs in the country.

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

Anti-Semitism

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

Trafficking in Persons

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

Persons with Disabilities

Persons with disabilities could not access education, public buildings, and transportation on an equal basis with others. Persons with disabilities had access to basic health care. The government did not regularly provide official information and communications in accessible formats. 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. No law mandates accessibility to public buildings. Many individuals with disabilities relied on begging.

Persons with mental disabilities faced social stigmatization in public institutions.

The Ministry of Solidarity and Humanitarian Action was responsible for protecting the rights of persons with disabilities. The ministry sponsored activities to promote

income-earning opportunities for persons with disabilities. The ministry also worked with NGOs such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. Although the government was responsible for eight schools countrywide for deaf persons, it provided almost no resources or other support for deaf persons.

HIV and AIDS Social Stigma

Societal discrimination against persons with HIV and AIDS occurred. HIV positivity was often locally perceived to be synonymous with LGBTQI+ identity. The government implemented campaigns to increase awareness of the condition and reduce discrimination against persons with HIV and AIDS.

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

According to local NGOs, LGBTQI+ individuals experienced physical, psychological, and sexual violence, which society viewed as “corrective” punishment. Police frequently refused to intervene when such violence occurred.

The law prohibits conduct pertaining to “attacks on morality,” thereby criminalizing, on a de facto basis, consensual same-sex sexual conduct between adults. The government actively enforced this law. Anecdotal evidence suggested LGBTQI+ individuals were at risk of violence if their status were known; their full protection remained in question.

In October the prosecutor of the Bamako Commune IV Tribunal of High Instance charged three women on the grounds of incitement to debauchery (under the same section of the law pertaining to “attacks on morality”) and violation of private communications. Two of the women were imprisoned before being granted provisional release on November 2. The third woman was charged with the same alleged crimes but fled to Cote d’Ivoire. In the same case, another woman was prosecuted but not detained. Media reports characterized the women as part of “a network of lesbians.” During the year there were no other examples of the use of this law criminalizing, on a de facto basis, consensual same-sex conduct between adults.

Most LGBTQI+ individuals isolated themselves and kept their sexual orientation or gender identity hidden. An NGO reported that LGBTQI+ 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.

No laws specifically prohibit discrimination based on sexual orientation or gender identity. Some NGOs provided medical and support services focusing specifically on men having sex with men or HIV prevention.

Other Societal Violence or Discrimination

Discrimination continued against persons with albinism, and the government struggled to implement plans to protect the rights of these persons. Some traditional religious leaders perpetuated the widespread belief that persons with albinism possessed special powers that others could extract by bringing a traditional spiritual leader the blood or head of a person 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. The Salif Keita Global Foundation provided free health care to persons with albinism, advocated for their protection, and provided education to help end their abuse.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for workers, except members of the armed forces, to form and join independent unions, bargain collectively, and conduct strikes. The law prohibits antiunion discrimination. There are restrictions which limit these rights, such as the requirement that workers must be employed in the relevant 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 legal convictions that could suspend their right to vote in national elections. The process to register a union was cumbersome and time-consuming, and the government sometimes denied trade union registration on arbitrary or ambiguous grounds.

The minister of labor and public service has the sole authority to approve sectoral collective agreements and to decide which unions participate in sectoral collective bargaining. Employers have the discretion 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 before they may 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, does not have 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. In May the large National Workers' Union of Mali went on strike, demanding the equalization of salaries and benefits of all public workers. Teachers' unions also went on strike in August, demanding a salary increase and calling for a boycott of end-of-year exams if the transition government failed to accede to union demands for better working and living conditions.

Although 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.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but forced labor occurred. The law prohibits the contractual use of persons without their consent, and 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 these crimes. 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 individuals in an effort to have charges dismissed. Prosecutors charged most hereditary slavery cases as misdemeanor offenses under discrimination, destruction of crops, or burglary statutes, which prescribed significantly lower penalties than those available under the trafficking law.

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

The salt mines of Taoudeni in the north subjected men and boys, primarily of Songhai ethnicity, to the 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 also section 6, Systemic Racial or Ethnic Violence and Discrimination).

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 law prohibits most of the worst forms of child labor and prescribes a minimum age of employment of 15, limitations on working hours, and occupational safety and health restrictions for children. 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'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 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 was shared among the Ministry for the Promotion of Children and Women, the Ministry of Justice, the Ministry of Security, the National Social Security Institute through its health service, and the Ministry of Labor and Public Service. 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 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, but it was also found in domestic services, gold mining, forced begging organized by Quranic schools, and other sectors of the informal economy. Insecurity forced many schools to close, particularly in the regions of Sikasso and Mopti. Children not attending school were more vulnerable to labor exploitation, and children orphaned or separated from their families sometimes became victims of forced labor.

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 children were engaged in hazardous activities in agriculture. Armed groups used child soldiers in the northern and central parts of the country (see also 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.

Traffickers targeted unaccompanied children and poor families, promising work opportunities, then selling them as laborers for farm and domestic work. Traffickers transported children across the border to Cote d'Ivoire to work on cocoa farms. In October 2020 the University of Chicago released a report showing West African child labor in cocoa production had increased 13 percent during a 10-year period, coinciding with a 62 percent growth in cocoa production. Although child labor increased, the report indicated that some interventions against hazardous child labor may have worked because there was no corresponding increase in hazardous child labor incidents in cocoa production due to using sharp tools, undertaking land clearing, working long hours or at night, and exposure to dangerous chemicals.

Child labor in artisanal gold mining was a serious problem. According to a March 2020 report from the Ministry of Environment on a 2019 action plan to reduce and eliminate the use of mercury in the artisanal mining sector, approximately 45,700 children worked under extremely harsh and hazardous conditions in artisanal gold mines and represented 9 percent of the artisanal mining workforce. Many of these children worked with mercury, a toxic substance used in separating gold from its ore.

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

Prosecutors in Bamako had several pending investigations of potential abuse charges against marabouts who used children solely for economic purposes.

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in employment and occupation based on race, gender, religion, political opinion, nationality, disability, social status, HIV-positive status, and skin 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 also 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 on women's employment in dangerous occupations and tasks, and in industries such as mining, construction, and factories. Women are 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.

Gender-based violence and sexual harassment were prevalent in the workplace. Research published by the Friedrich-Ebert-Stiftung Institute found that gender-based violence was an everyday occurrence for women and girls. The pandemic situation and growing insecurity increased the intensity and frequency of violent acts against women. The institute reported that husbands, co-wives, customary chiefs, religious leaders, and female employers of domestic workers were the main perpetrators of violence against girls and women in the central region.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage of 28,465 CFA francs per month (\$52) in all sectors of the formal economy. The minimum wage is above the World Bank's poverty line for the country. Minimum wage requirements did not apply to workers in the informal and subsistence sectors, which included most workers. In addition to setting a minimum wage, the government mandates that employers have a mandatory benefit package including social security and health care.

The legal workweek is 40 hours, except in the agricultural sector, where the legal workweek ranges from 42 to 48 hours, depending on the season. The law requires a weekly 24-hour rest period, and employers must pay workers overtime for additional hours. The law limits overtime to eight hours per week. The law applies to all workers, including migrants and domestics, but it was routinely ignored in the informal sector, which included an estimated 93 percent of workers, according to a 2018 International Labor Organization (ILO) report.

The Ministry of Labor and Public Service conducted few surprise or complaint-based inspections. Inspections conducted in August and October of oil companies Total, Oryx, and Vivo in Bamako found that salaries were below the legal minimum wage and that some workers were not registered with the national social security service. Following the inspections, the companies began implementing minimum wage policies and registered workers to receive social security benefits.

Occupational Safety and Health: 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. Workers also have the right to request an investigation by the Social Security Department, which is responsible for recommending remedial action when 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 enough 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 mostly after labor unions filed complaints.

Labor organizations reported employers used cyanide and mercury in gold mines, posing a public-health risk to workers exposed to them. Inspectors lacked the resources to assemble credible data on dangerous workplaces.

The most recent report from the ILO and the World Health Organization listed 2,915 annual work-related deaths in 2016. The Ministry of Labor reported two work-related deaths during the year.

Informal Sector: Almost 93 percent of workers worked in the informal sector, according to the ILO. Informal workers were employed in almost every sector of the economy, from agriculture (growing cotton) and transportation (including taxi drivers) to financial services (door-to-door banking, informal saving associations, and money lenders). Informal workers lost more income than formal-sector workers during the COVID-19 pandemic because informal workers were overrepresented in high-risk sectors of the economy such as restaurants, markets, hotels, beauty salons, tailoring, transport, and private education, according to a study released by United Nations University.

The worst working conditions existed in private businesses and informal sectors of the economy. 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, which violated minimum wage laws; employers claimed that food and shelter provided to domestic workers was part of their compensation. Violations of overtime laws were common for children working in cities and those working in artisanal gold mines or rice and cotton fields.

Workers in the informal sector are not protected by wage, hour, and occupational safety and health laws and inspections. Workers in the informal economy

benefitted from government health insurance if they contributed periodically from their salaries; however, there was no insurance against unemployment or retirement, or other social protections for workers in the informal economy.