

# Mali 2023 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Mali during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by government forces; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including reportedly unlawful or widespread civilian deaths or harm, enforced disappearances and abductions, torture, physical abuses, and conflict-related sexual violence or punishment; unlawful recruitment or use of children in armed conflict by the armed forces and nonstate armed groups; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests of journalists, censorship, and enforcement of criminal libel laws to limit expression; substantial interference with the freedom of peaceful assembly and freedom of association; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on

political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, child, early, and forced marriage, female genital mutilation/cutting, and other forms of such violence; crimes involving violence or threats of violence targeting members of national and ethnic groups; laws used to criminalize consensual same-sex sexual conduct between adults, although not enforced; and existence of the worst forms of child labor.

With occasional notable exceptions, the transition government did not take credible steps to identify and punish officials who may have committed human rights abuses.

Nonstate armed groups, including several signatories to the 2015 Algiers Accord for Peace and Reconciliation in Mali (Algiers Accord), committed serious human rights abuses, including summary executions, physical abuse, and the unlawful recruitment and use of child soldiers. Russia's Wagner Group forces, often operating in close coordination with the Malian Armed Forces, allegedly committed unlawful killings, rapes, and other abuses. Terrorist groups kidnapped and killed civilians, including humanitarian workers. Ethnic militias, formed to defend one ethnic group from other ethnic groups or other armed groups, committed serious human rights abuses, including summary executions and destroying homes and food

stores. Authorities generally did not investigate these abuses, many of which occurred in areas outside the government's control.

## **Section 1. Respect for the Integrity of the Person**

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

There were numerous and increasing reports the transition government or its agents, including associated Wagner Group forces, committed arbitrary or unlawful killings, such as extrajudicial killings, as military operations intensified in central and northern areas of the country. The gendarmerie and the Ministries of Justice and Defense conducted investigations of some of these killings, but few resulted in punishment of offenders.

On August 9, police shot and wounded a man in the Bandiagara region during a protest asking for more security in the region. On August 10, the man subsequently died from his injuries in Sevaré, Mopti region.

Killings by extremist groups and criminal elements of civilians occurred in all regions of the country. According to a June UN secretary-general report, extremist and self-defense groups were the main perpetrators of killings, including 89 persons killed between April 1 and May 31. According to the UN Mine Action Service, as of September 6, 110 improvised explosive

devices (IEDs) killed 77 individuals, including 39 civilians and 38 military personnel.

On September 7, militants with suspected ties to the JNIM (Jama'at Nasr al-Islam wal Muslimin) attacked a passenger boat on the Niger River near the village of Abakoira in the Gao region. The assailants fired at least three rockets at the boat, resulting in the deaths of 49 persons. Many of the victims either drowned in the river or perished in the resulting fire onboard the boat.

## **b. Disappearance**

There were numerous reports of disappearances carried out by government security forces in the central and northern regions of the country.

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 the intelligence service, the National Agency for State Security (ANSE), held approximately 100 unacknowledged detainees. These organizations noted they could not verify the estimates because they did not have access to the ANSE's facilities or to the gendarmerie facilities in Sevare, which sometimes transferred prisoners to the ANSE.

Witnesses provided Human Rights Watch (HRW) with the names of nine men arrested on February 3 during military patrols and operations in the Segou region who subsequently disappeared.

Extremist groups also committed numerous enforced disappearances. These abductions were allegedly perpetrated by various actors, some of whom allegedly collaborated with the JNIM and other armed groups. For example, in April, unknown persons in Koutiala abducted Abdou Agouzer Maiga, a former member of the parliament.

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

The constitution and law prohibited such practices, but reports indicated the armed forces employed these tactics against individuals with suspected links to extremist groups, including groups affiliated with the JNIM.

In June, the UN secretary-general reported instances of violence and human rights abuses by armed groups, militias, violent extremists, and unidentified armed actors. Victims of hereditary slavery and formerly enslaved persons were frequently subjected to abuse by former slaveholders and community members; the transition government charged several former slaveholders and perpetrators of torture with crimes against formerly enslaved persons.

There were also reports of terrorist groups abusing civilians. For example, on July 9, local press reported terrorists affiliated with Islamic State in the

Sahel (ISIS-Sahel) cut off the hands and feet of two young men accused of falsely collecting taxes on behalf of ISIS-Sahel in the Ansongo area.

Impunity was a significant problem in the security forces, including the armed forces, according to allegations from Amnesty International, the Human Rights and Protection Division of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and various nongovernmental organizations (NGOs).

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

Prison conditions were harsh and life-threatening due to overcrowding, inadequate sanitary conditions, and inadequate medical care.

**Abusive Physical Conditions:** As of August 4, Bamako Central Prison held 4,594 prisoners in a facility designed to hold 400, more than a thousand more prisoners than in 2022. There was also significant overcrowding at other prisons. Gendarmerie and police detention centers were at maximum capacity at year's end.

The combination of the general security situation 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.

Lack of sanitation posed the most significant threat to prisoners' health.

Buckets were used as toilets in some prisons. Not all prisoners had access to potable water.

Authorities exhibited a limited ability to control prisons, including prisoner-on-prisoner violence.

**Administration:** Prosecutors and high-level magistrates visited prisons to review treatment of prisoners. The National Commission for Human Rights (CNDH), the Office of the Ombudsman of the Republic, and judicial authorities sometimes investigated complaints through referral to the Penitentiary Administration.

**Independent Monitoring:** The transition government permitted some visits by human rights monitors and organizations.

The transition 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 operated by Coordination of Azawad Movements (CMA) in Kidal. International human rights and humanitarian organizations had access to most of these centers but not to detainees held in facilities operated by the ANSE. International organizations reported they could

access detention centers in Bamako but had little to no access to prisons in the center of the country.

The CNDH visited prisons to review conditions. The law allowed the CNDH to visit prisons without seeking prior permission from prison authorities, although its last visit to a military detention center monitored by the ANSE occurred in 2012 despite several subsequent requests to visit.

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

The constitution and law generally prohibited arbitrary arrest and detention. Nevertheless, government security forces arbitrarily arrested and unlawfully detained numerous individuals. Platform of Movements (Platform), the CMA, and other armed groups unlawfully detained individuals in connection with the continued conflict in the northern and central regions.

The law allowed detainees to challenge the legal basis or the arbitrary nature of their detention in court. Individuals were generally released promptly if their detention was determined to have been arbitrary. According to UN reporting, the right to due process of individuals arrested or detained in connection with alleged terrorism-related offenses “remained under significant strain.”



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

The law required judicial warrants for arrest. It also required police 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 provided 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. Detainees had 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. While an accused person could request conditional release, lawyers stated conditional release for more serious crimes was often not granted even when legal requirements were met. Moreover, even when a court decided to grant conditional release or acquitted an accused person, the prosecutor could appeal the decision, automatically suspending the court's orders.

Detainees had the right to a lawyer of their choice or, if they could not afford one, to a state-provided lawyer. Detainees were 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 ANSE orders and then transferred them for questioning to the ANSE, which generally held suspects for hours or days. Due to the country's size, long travel times, and poor road conditions, 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, and these return trips often required several days.

**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.

According to these organizations, authorities inappropriately detained some children for alleged affiliation with signatory and nonsignatory armed groups. Security forces detained at least 23 children for periods ranging from one day to four months.

In March, authorities arrested radio announcer and journalist Mohamed Youssouf Bathily and journalist Rokiatou Doumbia following comments they made on the death of former Prime Minister Soumeylou Boubeye Maiga. In July, a Bamako court declared Bathily not guilty, but he remained in detention under other charges. Bathily filed a complaint for arbitrary arrest

against the prosecutor supervising his case. In August, authorities sentenced Rokiatou Doumbia to a year's imprisonment and a fine of one million CFA francs (\$1,650) for inciting a revolt and disturbing public order.

According to an international organization, having gradually replaced the national government as the de facto authority in the north of the country, the CMA illegally detained and pardoned individuals being held at the Kidal remand center.

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

The constitution provided for an independent judiciary, but the executive branch exerted influence over the judicial system. Corruption affected the fairness of trials. According to domestic human rights groups, bribery and influence peddling were widespread in the courts. 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. In parts of Kidal and Timbuktu, Islamic judges settled local disputes. Traditional systems did not provide the same rights as civil and criminal courts.

## **Trial Procedures**

The constitution provided for the right to a fair trial, and the judiciary generally tried to enforce this right. Undigitized records and case management systems, security concerns, and political pressure sometimes interfered with or hampered trial processes.

Administrative backlogs and an insufficient number of private attorneys, particularly in rural areas, often prevented prompt access to attorneys.

## **Political Prisoners and Detainees**

There was one reported political prisoner. On September 4, authorities arrested Adama Ben Diarra, member of the National Transition Council and leader of a protransition government activist group, Yerewolo Standing on the Rampart, after he called on the transition government to respect the transition timeline. A court later sentenced him to one year in prison and a one-year suspended sentence. On September 15, the transition president removed Diarra from the National Transition Council, the country's legislative body.

Unlike for other prisoners, 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.

## **f. Transnational Repression**

Not applicable.

## **g. Property Seizure and Restitution**

Not applicable.

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

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

## **i. Conflict-related Abuses**

The military, Wagner Group forces, and several armed groups committed serious human rights abuses in the northern and central parts of the country. In addition to increased attacks in the center of the country, reports of targeted and indiscriminate attacks on the civilian population in other parts of the country, notably in the north, significantly increased following the withdrawal of international forces, such as France's Operation Barkhane in 2022 and MINUSMA during the year. These armed groups included 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 violent extremist organizations such as ISIS-Sahel, 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. For example, HRW's July report stated Fulani made up the majority of the victims of the February abuses in Séguéla attributable to Wagner Group forces. The government failed to pursue and investigate human rights abuses in the center and north, which were widely controlled by the JNIM, ISIS-Sahel terrorist organizations, the CMA, and Movement for the Salvation of Azawad armed groups.

**Killings:** The military, former rebel groups, 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 forces, members of signatory armed groups, UN peacekeepers, and civilians. The UN secretary-general reported 1,002 civilians killed by all parties, from July 2022 to May 22, due to armed conflict and criminal acts (a decrease from 1,556 killings between July 2021 and June 2022).

According to the Armed Conflict Locator and Event Data Project, the Wagner Group and the military engaged in multiple deadly attacks targeting civilians amid military operations. The Wagner Group targeted civilians in Mopti, Segou, Tombouctou, and Koulikoro regions, core areas of JNIM occupation.

In July, HRW reported the armed forces and “associated foreign soldiers,” identified by several sources as Russians, summarily executed between February 3 and 21 at least eight civilian men, some of them suspected Islamist fighters, in the central town of Séguéla in the Segou region.

Also in July, the armed forces reported killing at least 72 individuals they believed to be terrorists, including 50 in Farabougou, Segou region, and 20 near Konna in the Mopti region.

As of September, the transition government had not released the results of its investigation into the 2022 Moura killings. In May, the United Nations had released its own report, alleging soldiers and foreign fighters killed more than 500 civilians during a military operation.

According to a June UN secretary-general report, two signatory armed groups to the Algiers Accord, Platform, and the CMA, as well as other armed groups, were allegedly responsible for numerous killings.

According to MINUSMA, on March 8, the Movement for the Salvation of Azawad of the Dawsahak reported ISIS-Sahel killed at least 12 civilians and four of its combatants in the commune of Tamalet in the Menaka region.

Between January and June, HRW reported hundreds of civilians killed by terrorist organizations in the Gao and Menaka regions.

Also in June, the UN secretary-general reported that on April 22, the JNIM attacked military bases, including the Air Force base in the town of Sevaré, resulting in the death of at least 10 civilians. The transition government subsequently opened an investigation into the incident at its military tribunal in Mopti.

According to local press, on September 16, ISIS-Sahel reportedly killed at least nine civilians, injured several others, and destroyed property in the locality of Boya, Gao region.

In February, unidentified armed individuals killed at least 12 civilians in the village of Kanibonzon in the Bandiagara region. On February 21, unidentified armed individuals used IEDs to attack a MINUSMA convoy near the town of Songobia, Bandiagara region. The attack killed three Senegalese peacekeepers and wounded five others.

On July 21, armed men entered the town of Djankoin in the Bandiagara region and killed at least 10 civilians. On August 4, unidentified armed individuals believed to belong to the JNIM reportedly killed a dozen civilians in Bodiè in the Bandiagara region.

**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 carried out abductions of civilians from Dogon villages. In January, unidentified terrorist groups abducted six travelers in the Bandiagara region, then released them on January 26. On September 19, local press reported the signatory armed group Coordination of Azawad Movements abducted and detained an army officer following an attack on a military base.

As of September, dozens of Dogon travelers abducted in 2021 by jihadist groups in the vicinity of Bankass remained in captivity.

**Physical Abuse, Punishment, and Torture:** Human rights NGOs reported instances of conflict-related physical abuse, torture, rape, and punishment perpetrated by security forces, armed groups, ethnic self-defense groups, and terrorist organizations. For example, in July, HRW reported severe abuses including wounds and torture inflicted in March by government security forces and Wagner Group military personnel in the village of Ouenkoro and at the army camp of Sofara in the Mopti region.

**Child Soldiers:** The Secretary of State determined Mali had government security armed forces, police, or other security forces that recruited or used child soldiers during the reporting period from April 2022 to March 2023. See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

The United Nations reported numerous armed groups recruited or used child soldiers.

## **Section 2. Respect for Civil Liberties**

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

The constitution provided 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.

**Freedom of Expression:** Individuals could criticize the government, but only within prescribed limits.

The CNDH and local human rights organizations expressed serious concern regarding the narrowing of civic space and democratic debate.

On November 17, authorities arrested high-profile anti-corruption activist Clement Dembele for allegedly making death threats against Transition President Assimi Goita and his family during a telephone conversation. On November 20, a court indicted him.

**Violence and Harassment:** In Bamako and the rest of the south there were sporadic reports of threats against journalists, including those who criticized

transition authorities, and authorities sometimes arrested journalists, bloggers, and radio announcers. Reporting on the situation in the north and the fight against terrorism were dangerous topics due to the presence of active armed groups.

On April 6, journalist Aliou Touré, founder of the newspaper *Le Démocrate* and member of the Collective for the Defense of the Republic association, disappeared after a press conference calling for the release of journalists Mohamed Youssouf Bathily and Rokia Doumbia. Organizations of press editors and umbrella press organization Maison de la Presse immediately put in place a crisis cell to monitor his case. On April 9, unknown parties believed to be associated with the government released Touré, and he returned home.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** International human rights organizations, UN experts, and civil society organizations expressed concerns regarding media censorship. Press organizations deplored the censorship and self-censorship of media.

**Libel/Slander Laws:** The law mandated fines and prison sentences for defamation.

**Nongovernmental Impact:** On April 28, unidentified armed individuals in Bamako abducted Idriss Martinez Konipo, owner of the online media *Mediatik TV*; they released him several days later. On March 20, unknown

parties in Niger released French journalist Olivier Dubois, abducted in Mali in 2021. As of August local journalists Hamadoun Nialibouly and Moussa M'Bana Dicko, abducted in 2021 by unknown assailants likely associated with the JNIM, remained in captivity.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content.

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

The government limited freedom of peaceful assembly. Although it generally respected freedom of association, the government restricted it for lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.

### **Freedom of Peaceful Assembly**

The law provided for freedom of peaceful assembly, but the government did not always respect this freedom. In October, for example, the transition government denied authorization for the Collective of Muslim Associations to conduct a pro-Palestine protest, citing security concerns.

### **Freedom of Association**

The law provided for freedom of association, although the law prohibited associations deemed immoral. The government generally respected

freedom of association, but not for LGBTQI+ persons. LGBTQI+ organizations were vulnerable to marginalization and harassment.

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

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

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

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

**In-country Movement:** In September, regional authorities issued a 30-day renewable curfew in the Gao and Timbuktu regions, and the transition government limited travel at night on highways across the country, following a series of deadly attacks. Some international organizations reported humanitarian access grew more difficult in the center and north of the country where the armed forces conducted military operations. The unstable security situation, armed groups' targeting of infrastructure such as bridges, and embargos by armed groups on cities such as Boni and Marebougou 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.

In August, there were reports terrorist groups once again prevented public and private transport vehicles from travelling on the main Sevare-to-Gao national road and reimposed an embargo on the town of Boni. The groups lifted the ban the same month following negotiations between terrorist groups and the Boni population. Also in August the JNIM reportedly imposed a blockade on the city of Timbuktu. NGOs noted impromptu checkpoints by various militias and armed groups often hindered them from carrying out humanitarian missions.

### **e. Protection of Refugees**

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. Insecurity affected the delivery of humanitarian assistance.

**Access to Asylum:** The law provided for the granting of asylum or refugee status, and the government had established a system for providing protection to refugees. A national committee in charge of refugees operated with assistance from UNHCR. Large refugee flows strained already scarce resources dedicated to protecting and caring for refugees.

**Abuse of Refugees and Asylum Seekers:** Refugees and migrants regularly transited through contested territory where there was often little government control or oversight, and abuses and violence occurred regularly.

**Durable Solutions:** The government offered naturalization to Mauritanian refugees and supported the voluntary return of refugees from Burkina Faso, Nigeria, and Mauritania.

## **f. Status and Treatment of Internally Displaced Persons (IDPs)**

The United Nations, the Economic Community of West African States, and human rights organizations reported persistent and growing insecurity in the center of the country, which progressively spread south, adversely affected vulnerable populations, and resulted in population displacement with harmful effects on access to basic social services and social safety nets. Insecurity, banditry, ethnic conflict, and intercommunal violence in northern and central regions of the country forced many persons to flee their homes. As of August 31, UNHCR reported 422,620 IDPs in the country.

For further information concerning IDPs in the country, please see the materials of the Internal Displacement Monitoring Center:

<https://www.internal-displacement.org>.

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

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### Elections and Political Participation

**Abuses or Irregularities in Recent Elections:** National elections were widely reported to not be fair or free of abuses and irregularities. Following a military coup in 2020, the transition government held a constitutional referendum on June 18. Restricted freedom of movement, logistical challenges, and financial limitations prevented many opposition groups from campaigning in much of the center and north of the country against adoption of the new constitution. In legislative elections in 2020, restricted freedom of movement, logistical challenges, financial limitations, and allegations of voter intimidation and election tampering also prevented many opposition candidates from campaigning in much of the central and northern parts of the country. International observers considered the 2018 presidential elections to be minimally credible, with some irregularities and violence.

**Political Parties and Political Participation:** Authorities increasingly imposed restrictions on political parties, including the suspension of legally



required financial aid to political parties. On multiple occasions, authorities prevented opposition parties from organizing demonstrations or using conference halls.

### **Participation of Women and Members of Marginalized or Vulnerable**

**Groups:** Cultural or religious factors sometimes limited women's political participation in formal and informal roles due to a perception it was taboo or improper to have women in such roles. LGBTQI+ persons did not openly participate in political parties or public services organizations. The Algiers Accord, meant to address the political demands of historically disadvantaged groups in the north of the country, was in effect but far from fully implemented.

## **Section 4. Corruption in Government**

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. 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.

On August 9, authorities arrested former National Assembly President Issiaka Sidibé and four other former members of the national assembly financial management committee for misappropriation of public funds.

At year's end, corruption cases continued against a number of former senior officials, including General Moussa M'Bemba Keita, General Moustapha Drabo, former Prime Minister Boubou Cisse, former Minister of Defense Tieman Hubert Coulibaly, former Minister of Economy and Finance Mamadou Igor Diarra, former Chairman of the Malian Bank for Habitat Babaly Bah, former Prime Minister Soumeylou Boubeye Maiga, and former Economy and Finance Minister Bouare Fily Sissoko.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

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

Several domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. According to human rights

organizations, government and military officials were generally not transparent, cooperative, or responsive to calls for investigations and prosecutions of alleged human rights abuses by security forces.

**The United Nations or Other International Bodies:** The transition government occasionally did not cooperate with or permit visits by UN representatives and often did not cooperate with UN investigations. Authorities repeatedly denied requests for MINUSMA human rights investigators to visit Moura, Hombori, and other sites of alleged human rights abuses attributed to the armed forces, and in some cases, to Wagner Group forces. In August, the UN Panel of Experts reported none of its eight communications sent to the transition government, including those requesting permission to gain access to the country, had received a response.

In February, the transition government accused Guillaume Ngefa-Atondoko Andali, head of the MINUSMA Human Rights and Protection Division, of conducting destabilizing and subversive activities and declared him persona non grata.

In June, the transition government requested the UN Security Council withdraw MINUSMA, and the council terminated the peacekeeping mission. Human rights organizations widely believed the transition government made the request to end MINUSMA's human rights mandate and prevent documentation of abuses.

**Government Human Rights Bodies:** In February, the government created the National Directorate for Human Rights by decree. As of August, the directorate was not fully functional, nor effective or independent.

The CNDH, an independent entity receiving administrative and budgetary assistance from the Ministry of Justice, included civil society representatives, with budget support, office space, and staff provided by the transition government. It issued statements on several cases of human rights abuses, including the June 23 killings in the San and Nara regions, and the August attack on civilians in the village of Bodjè, Bandigara region. Observers considered the CNDH to be relatively independent and effective.

The Truth, Justice, and Reconciliation Commission ended in December 2022. It took testimony from witnesses to human rights abuses and from experts on justice and reconciliation challenges and offered recommendations for transitional justice measures and improvements in government responses.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalized rape of women and men, with a penalty of five to 20 years' imprisonment, but the transition 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 the risk of retaliation. No law explicitly prohibited spousal rape, but law enforcement officials stated laws against rape could apply to spousal rape. Police and judicial authorities investigated rape cases but allowed parties to reach private settlements 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.

Spousal abuse was a crime, but the law did not specifically prohibit domestic violence. Assault was punishable by prison terms of one to five years and substantial fines. The sentence could be increased up to 10 years' imprisonment if the assault was found to be premeditated. Domestic violence against women, including spousal abuse, was prevalent. According to human rights organizations, most cases went unreported because of cultural taboos and a lack of understanding regarding legal recourse. 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.

UNHCR and NGOs serving refugees and asylum seekers reported incidents of gender-based violence against refugees, asylum seekers, and IDPs, which they attributed to the deterioration of the protective environment for women and girls.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C was legal in the country, and except in certain northern areas, all religious and ethnic groups practiced it widely, particularly in rural areas. 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 UNICEF, 89 percent of women ages 15 to 49 were circumcised, but this varied widely by geographic location, with rates ranging from 1 percent in Gao and Kidal to more than 96 percent in Sikasso. Most circumcisions occurred prior to age five, and circumcision was almost always performed by a traditional practitioner. Nearly three-quarters of girls younger than age 15 had been circumcised. The prevalence of FGM/C among girls increased substantially with age; while 56 percent of girls younger than age five had undergone FGM/C, 86 percent of girls ages 10 to 14 had undergone the procedure.

Government information campaigns regarding the dangers of FGM/C reached citizens where security allowed, and human rights organizations reported decreased incidence of FGM/C among children of educated parents.

**Other Forms of Gender-based Violence or Harassment:** Gender-based violence and sexual harassment were prevalent in the workplace.

**Discrimination:** The law did not provide the same legal status and rights for women as for men, particularly concerning divorce and inheritance. Women

were legally obligated to obey their husbands and were particularly vulnerable in cases of divorce, child custody, and inheritance. 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 transition government effectively enforced it.

While the law provided for equal property rights, traditional practices and ignorance of the law prevented women from taking full advantage of their rights. Marriage contracts had to specify if the couple wished to share estate rights. If marriage certificates of Muslim couples did not specify the type of marriage, judges presumed the marriages to be polygynous.

There were legal restrictions on women holding employment in the same occupations, tasks, and industries as men. 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 were legally prohibited from working on the creation or sale of writing and images considered contrary to good morals.

According to MINUSMA, extremist groups were responsible for intimidating, threatening, and forcing women in the regions of Timbuktu and Mopti to wear veils.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of transition government authorities.

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 the rainy season negatively affected the ability of those living in rural areas to easily access adequate health care.

In accessing information and services 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. The government provided specialized assistance to survivors of gender-based violence, including family planning counseling, at the referral health-center level via 14 one-stop centers in Bamako, Gao, Mopti, Timbuktu, Kayes, and Koulikoro.



The maternal mortality rate was estimated at 317 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 poor 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 contributing to maternal morbidity. According to the UN Population Fund, the adolescent birth rate was 164 births per 1,000 girls. Causes of high rates included early child marriage, lack of sexual and reproductive health and education, and low rates of school attendance.

Regarding menstruation or access to menstruation hygiene, sociocultural barriers 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 an infection 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 managing 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 impeded adolescent girls' access to education due to pregnancy or motherhood status. The law allowed 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 prevented pregnant girls from attending school. Additionally, if they were mothers, a lack of childcare was a barrier to girls' access to education.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law protected members of racial or ethnic minorities from violence and discrimination, with limited exceptions. With tenuous government control over large areas of the country, authorities struggled to enforce the law effectively. There were cases where employers from southern ethnic groups discriminated against individuals from northern ethnic groups.

Societal discrimination existed 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 reports of slaveholders kidnapping the children of their Bellah slavery victims. Slaveholders considered slavery victims and their children as property and reportedly took children of slavery victims 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 slavery.

The Court of Assizes held its first special session focused on hereditary slavery in February, and it found traffickers guilty of murder, assault and battery, and arson. In March, a court heard hereditary slavery cases in the Kayes region and sentenced perpetrators to the death penalty, imprisonment, or fines. As of September 7, authorities held approximately a dozen persons in prison in the Kayes region for crimes related to hereditary slavery.

In July 2022, residents killed Diogou Sidibe in the village of Lany Mody in the Kayes region for her rejection of her status as a slave, after she won a case at a Kayes tribunal court stating she was not a slave. In August, an investigative judge arrested 29 suspects for murder and other charges. Among the imprisoned were the village chief and the village imam. As of September, authorities continued the investigation, with the defendants provisionally released pending trial.

Members of the Fulani (or Peul) ethnic group frequently clashed with members of the Dogon community and, separately, with Bambara communities regarding alleged Fulani support of armed Islamists linked to al-Qa'ida. According to HRW, this tension caused a rise in ethnic self-defense groups, 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.

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

## Children

**Education:** Girls' enrollment was lower than 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 materials, and pregnancy and motherhood status.

**Child Abuse:** The law prohibited child abuse. Most child abuse cases went unreported, and authorities did not enforce the law effectively. 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 transition government provided few services for such children.

**Child, Early, and Forced Marriage:** The minimum age to marry without parental consent was 16 for girls and 18 for boys. A girl age 15 could 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.

In some regions, especially Kayes and Koulikoro, girls married as young as age 10. It was common practice in those regions 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 indicating girls were old enough to marry.

**Sexual Exploitation of Children:** The law prohibited the sexual exploitation of children, including commercial sexual exploitation, although it did not specifically address the sale, grooming, or using of children for commercial exploitation, including sex trafficking. A statutory rape law defined 18 as the minimum age for consensual sex. The law, which was inconsistent with the legal minimum marriage age for girls, was not enforced. The law prohibited child pornography, but authorities took limited steps to enforce it. Sexual exploitation of children occurred.

## Antisemitism

There were fewer than 50 Jews in the country, and there were no known reports of antisemitic incidents.

## Trafficking in Persons

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

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law prohibited conduct considered “attacks on morality.” This vague language was employed to criminalize consensual same-sex sexual conduct between adults. The transition government disproportionately applied this law to LGBTQI+ persons. Although there were no known cases of individuals prosecuted under the law, authorities made arrests.

**Violence and Harassment:** Police frequently did not intervene when violence occurred and often condoned or tolerated violence and harassment against LGBTQI+ persons. According to local NGOs focused on human rights, LGBTQI+ persons experienced physical, psychological, and sexual violence,

which society viewed as “corrective” punishment. Anecdotal evidence suggested LGBTQI+ persons were at risk of violence if their status became known.

**Discrimination:** The law did not prohibit discrimination by state or nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. The law did not recognize LGBTQI+ persons, couples, or their families, or grant them rights equal to the rights of other persons. Most LGBTQI+ persons were believed to isolate themselves and kept their sexual orientation or gender identity or expression hidden. An NGO reported LGBTQI+ persons faced discrimination in education, employment, and health care, and thus sought to hide their identities and avoid social stigmatization.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices:** NGOs reported physical, psychological, and sexual violence, including “corrective” rape; police frequently refused to intervene in these circumstances. No known medically unnecessary and irreversible “normalization” surgeries were performed on children or nonconsenting adult intersex persons.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ matters. The transition government did not register

groups specifically designated as LGBTQI+. Organizations working on LGBTQI+ matters feared convening public events due to harassment and threats of violence. LGBTQI+ individuals feared to assemble in public or private, or to form associations.

## **Persons with Disabilities**

Persons with disabilities could not access education, employment, public buildings, and transportation on an equal basis with others. Persons with disabilities had access to basic health care. The law did not protect the rights of persons with disabilities to access education, employment, public buildings, transportation, or health care. The transition government did not regularly provide official information and communications in accessible formats.

Persons with mental disabilities faced social stigmatization in public institutions. Many individuals with disabilities relied on begging.

## **Other Societal Violence or Discrimination**

Killing, violence, and discrimination occurred against persons with albinism. The transition government struggled to implement plans to protect the rights of these persons. Discrimination also impeded their access to sunblock, without which they were highly susceptible to skin cancer.



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

## **Section 7. Worker Rights**

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

The law provided for workers, except members of the armed forces, to form and join independent unions, bargain collectively, and conduct strikes. The law prohibited antiunion discrimination. There were restrictions limiting these rights, such as the requirement workers had to be employed in the relevant profession before they could form a union. Members responsible for the administration or management of a union had to reside in the country and be free of any criminal convictions that could suspend their right to vote in national elections. The process to register a union was cumbersome and time consuming, and the transition government sometimes denied trade union registration on arbitrary or ambiguous grounds.

The minister of labor and public service had the sole authority to approve sectoral collective agreements and to decide which unions participated in

sectoral collective bargaining. Employers had the discretion to refuse to bargain with representatives of trade unions. The law prohibited retribution against strikers. Unions had to exhaust mandatory conciliation and arbitration procedures in the labor code before they could strike legally. Regulations required civil servants and workers in state-owned enterprises to give two weeks' notice of a planned strike and to conduct mediation and negotiations with the employer and a third party, usually the Ministry of Labor and Public Service.

The law did not allow workers in essential services sectors to strike, and the minister of labor could order compulsory arbitration for such workers. The law defined essential services more broadly than international labor guidelines, to include 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 required striking police to maintain a minimum presence in headquarters and on the street. The transition government, however, did not maintain a list of essential services.

Participation in an illegal strike was punishable by harsh penalties, including dismissal and loss of other rights except wages and leave.

Authorities did not consistently enforce laws protecting freedom of association, collective bargaining, and the right to strike, but workers

generally exercised these rights. The transition government did not always respect unions' right to conduct their activities without interference.

Penalties for violations of freedom of association, collective bargaining, and the right to strike were not commensurate with analogous crimes such as civil rights violations. Penalties were sometimes enforced.

Although unions and worker organizations were independent of the transition government and political parties, they were closely aligned with various political parties or coalitions.

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

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

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

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/>.

## **d. Discrimination (see section 6)**

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

**Wage and Hour Laws:** The law provided for a national minimum wage in all sectors of the formal economy. The minimum wage was 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.

The legal workweek was 40 hours, except in the agricultural sector, where the legal workweek ranged from 42 to 48 hours, depending on the season. Alleged violations of wage, hour, or overtime laws were common in the banking, agriculture, transport, private security, and mining sectors.

**Occupational Safety and Health:** The law provided for a broad range of occupational safety and health (OSH) standards in the workplace, appropriate for the main industries in the country. The government did not actively identify unsafe conditions. Workers had the right to remove themselves from work situations endangering health or safety without jeopardy to their employment. Authorities, however, did not effectively protect employees in these situations. Workers often were reluctant to report violations of occupational safety regulations due to the risk of losing their jobs.

Labor organizations reported employers used cyanide and mercury in gold mines, posing a public-health risk to workers exposed to them.

**Wage, Hour, and OSH Enforcement:** The transition government did not effectively enforce minimum wage, overtime, and OSH laws. Penalties for violations were commensurate with those for similar crimes, such as fraud and negligence. Penalties were rarely applied against violators. The law applied to all workers, including migrants and domestics, but it was routinely ignored in the informal sector. The Ministry of Labor and Public Service enforced wage, hour, and OSH laws, but the number of labor inspectors was not sufficient to enforce compliance. Inspectors had the authority to make unannounced inspections and initiate sanctions.

Approximately 93 percent of workers worked in the informal sector. The transition government did not enforce labor laws in this sector.