



2008 Human Rights Report: Mali

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2008 Country Reports on Human Rights Practices

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Mali, with a population of approximately 12 million, is a constitutional democracy. International and domestic observers characterized the April 2007 presidential election, which resulted in the reelection of President Amadou Toumani Toure, and the July 2007 legislative elections, as generally free and fair; however, there were some administrative irregularities. Groups of armed Tuaregs attacked military units and posts in the regions of Kidal, Gao, and Segou throughout the year. While civilian authorities generally maintained effective control of the security forces, there were instances in which elements of the security forces acted independently.

The government generally respected its citizens' human rights; however, there were problems, including arbitrary or unlawful deprivation of life, police abuses of civilians, poor prison conditions, arbitrary detention, lengthy pretrial detention, prolonged trial delays, restrictions on freedom of assembly, official corruption and impunity, domestic violence and discrimination against women, female genital mutilation (FGM), trafficking in persons, societal discrimination against black Tamacheks, slavery-like practices and hereditary servitude relationships between ethnic groups, and child labor.

Attacks by groups of armed Tuaregs, including the Northern Mali Tuareg Alliance for Change (ATNMC) and the Alliance for Democracy and Change (ADC), injured civilians and displaced thousands of persons. A militia group called the Ganda-Izo reportedly killed civilians in the Gao region.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the government or its agents committed arbitrary or unlawful killings.

On November 10, in Lere, National Guard troops fired on a crowd of demonstrators, killing one person and injuring six others. A government commission of inquiry into the incident produced no findings.

Tuareg rebels alleged that security forces killed two Tuaregs, including one a former Tuareg rebel who had been reintegrated into the army. The government denied any involvement in the killings (see section 1.g.). There were no other reports of politically motivated killings.

The August 2007 death of Youssouf Dembele was still being investigated at year's end.

The government released members of the 314th Army Company who were detained in connection with the October 2007 killing of Assaleh ag Mohamed, a gendarme and ethnic Tuareg; there were no further investigations into the case.

b. Disappearance

There were no reports that the government committed politically motivated disappearances.

On October 31, the terrorist organization al-Qaida in the Islamic Maghreb (AQIM) released two Austrian tourists to government officials in the north of the country. AQIM captured the Austrians in Tunisia in February.

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

The constitution and law prohibit such practices; however, there were occasional reports that police abused civilians, and that police used excessive force to disperse demonstrators.

On September 9, in Bamako, police arrested and beat several Congolese accorded refugee status by the United Nations High Commission for Refugees (UNHCR). The police reportedly arrested the refugees during an operation to arrest other immigrants. Police released the Congolese nationals the same day after UNHCR intervention.

On October 10, in the Bamako neighborhood Medina Coura, police reportedly used excessive force and tear gas to disperse a demonstration, injuring two protesters.

Prison and Detention Center Conditions

Overall prison conditions remained poor. Prisons continued to be overcrowded, medical facilities were inadequate, and food supplies was insufficient. Inadequate sanitation and medical facilities posed serious threats to health.

In Bamako, men and women were placed in separate prisons. Outside the capital men and women were held in separate cells within the same prison. Arrested individuals may be held for up to 72 hours in police stations where there are no separate holding areas for men and women. Juvenile offenders usually were held in the same prison as adult offenders, but were kept in separate cells. Pretrial detainees were held with convicted prisoners.

The government permitted prison visits by human rights monitors; however, nongovernmental organizations (NGOs) and other monitors were required to submit a request to the prison director, who then forwarded it to the Ministry of Justice. Approvals, which took up to one week, were routinely granted, but the week delay hindered the ability of monitors to ascertain if there were human rights violations. Several NGOs, including the Malian Association of Human Rights and the Malian Association of Women Lawyers (AJM), visited prisoners and worked with female and juvenile prisoners to improve their conditions.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, security forces detained persons without charge in connection with the country's internal conflict (see section 1.g.) and arbitrarily arrested and beat several Congolese nationals accorded refugee status by the UNHCR.

Role of the Police and Security Apparatus

Security forces include the army, air force, gendarmerie, National Guard, and police. The army and air force are under the control of the civilian minister of defense. The National Guard is administratively under the minister of defense; however, it is effectively under the control of the minister of internal security and civil protection. The police and gendarmerie are under the Ministry of Internal Security and Civil Protection. Police have responsibility for law enforcement and maintaining order in urban areas, while gendarmes have that responsibility in rural areas.

The national police force is organized into districts. Each district has a commissioner who reports to the regional director at national headquarters. The police force was moderately effective but lacked resources and training. Corruption was a problem, and some police and gendarmes extorted bribes. Impunity was a problem, and police were often not held accountable for corruption. The gendarmerie conducted investigations of police officers. During the year 187 police officers were disciplined for infractions including excessive use of force, solicitation of bribes, and theft. In September the new general director of the National Police, Niame Keita, replaced 45 high-ranking police officers, including senior police official Boubacar Diouf. Diouf had been implicated in the disappearance of approximately 448 million CFA francs (approximately \$1 million) from the police officers' pension fund, and was reassigned to another police position.

Arrest and Detention

Judicial warrants are required for arrest. Bailiffs normally deliver warrants, which stipulate when a person is scheduled to appear at a police station. While persons were usually apprehended openly with warrants based on sufficient evidence and issued by a duly authorized official, there were occasions on which warrants were not based on sufficient evidence. In cases involving a monetary debt, the arrested person frequently resolved the case at the police precinct, and the police received a portion of the recovered money. The law provides that suspects must be charged or released within 48 hours and that they are entitled to counsel; however, in practice detainees were not always charged within the 48-hour period. Suspects must be transferred from a police station to a prison within 72 hours after being arrested; however, in practice detainees were sometimes held more than 72 hours. Limited rights of bail or the granting of conditional liberty exist, particularly for minor crimes and civil matters. On occasion authorities released defendants on their own recognizance. Detainees are brought before an independent judiciary and have the right to a lawyer of their choice or a state-provided lawyer if indigent; however, administrative backlogs and an insufficient number of lawyers often prevented prompt access to legal representation and produced substantial trial delays. Detainees were allowed prompt access to family members.

The government detained persons without charge in connection with the country's internal conflict (see section 1.g.) and arbitrarily arrested and beat several Congolese nationals accorded refugee status by the UNHCR.

In contrast to 2007, there were no reports of incidents in which police arbitrarily arrested journalists, demonstrators, students, or teachers.

Lengthy pretrial detention was a problem due to lengthy trial procedures, large numbers of detainees, judicial inefficiency, corruption, and staff shortages. In extreme cases, individuals remained in prison for several years before their cases came to trial. Judges set provisions for bail; however, many individuals lacked the financial resources needed to meet these provisions. Approximately 67 percent of the prison population consisted of persons awaiting trial.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the executive branch continued to exert influence over the judicial system, and corruption and limited resources affected the fairness of some trials. Domestic human rights groups alleged that there were instances of bribery and influence peddling in the courts. The minister of justice appoints and may suspend judges, and the Ministry of Justice supervises both law enforcement and judicial functions. The president of the country heads the Council of Magistrates, which oversees judicial activity.

The country has a lower circuit court, a Supreme Court with both judicial and administrative powers, and a Constitutional Court that oversees constitutional issues and acts as an election arbiter. The constitution also

provides for the convening of a High Court of Justice to try senior government officials in cases of treason.

The military court system was not operational.

Village chiefs, in consultation with local elders, decided the majority of disputes in rural areas based on local traditions and values.

Trial Procedures

Except in the case of minors, trials generally are public and juries are used. Defendants have the right to be present and have an attorney of their choice. Court-appointed attorneys are provided for the indigent without charge. Defendants have the right to consult with their attorney, but administrative backlogs and an insufficient number of lawyers often prevented prompt access. Defendants and attorneys have access to government evidence relevant to their cases. Defendants are presumed innocent and have the right to confront witnesses, to present witnesses and evidence on their behalf, and to appeal decisions to the Supreme Court. These rights extend to all citizens and all groups.

In contrast to 2007, there were no reports of closed trials that were contrary to customary procedures.

Political Prisoners and Detainees

In contrast to 2007 when five journalists and a high school teacher were imprisoned in June for "offending" the head of state, there were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. There is no separate court system for lawsuits seeking damages for, or cessation of, a human rights violation.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Violence in the north increased during the year as attacks by rebels and other armed groups of Tuaregs displaced thousands of civilians. Armed groups of Tuaregs, including the ATNMC and the ADC, attacked military units and posts in the regions of Kidal, Gao, and Segou.

On March 26, in Aguelhok, several children were wounded by gunfire during a rebel attack on a military base.

On April 10, two Tuaregs, Commandant Barka ag Cheikh and his driver Mohammed ag Moussa, were killed in Kidal. Ag Cheikh was an ADC member who had been reintegrated into the military. Ag Moussa was ag Cheikh's driver and also a local imam. ADC leaders accused the army of carrying out the killings; however, the government denied any involvement. There were no arrests in connection with the killings and there was no inquiry underway by year's end.

On December 20, the ATNMC attacked a military base in Nampala, in the Segou region; several civilians who lived within the base were reportedly killed during the attack.

The Ganda-Izo militia, composed of ethnic Peuls and Songhai, killed four civilians of Tuareg descent: Rhissa ag Intawin, Zeynudin ag Sidiya, Attaher ag Erhq, and one other villager on September 1, in the town of Hourala. In response security forces arrested several dozen suspected Ganda-Izo members, including some members of the security forces. On September 15, in the village of Fafa, the military attacked a suspected Ganda-Izo hideout, arresting several more suspected Ganda-Izo members. One suspected militia member and one soldier were reportedly killed and an unknown number of persons injured. While the government released many of those arrested, an unknown number of others remained detained without charge at year's end. On September 25, Amadou Diallo, the leader of Ganda-Izo, was arrested in Niger and extradited to Mali where he remained detained without charge at year's end.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press, and in contrast to 2007, the government generally respected these rights in practice.

Individuals criticized the government publicly and privately, generally without reprisal; however, on occasion the government attempted to impede such criticism.

The independent media were active and expressed a wide variety of views.

There were instances in which journalists were subject to arrest, harassment, and intimidation.

On April 7, security forces in Gao detained a French journalist from the French television station France 24 and another journalist from the French newspaper Liberation. The France 24 journalist was made to return to Bamako, and remained in police custody for 24 hours. Security officials informed the journalists that they lacked proper authorization to travel to the north.

Journalist Gnimadi Destin of Le Republicain newspaper reported receiving anonymous death threats after publishing an article on government corruption.

On September 20, in Kita, police reportedly arrested and detained journalist Sidiki Doumbia overnight. According to Doumbia, he was traveling on public transportation when a police officer stopped the vehicle, made passengers without identity cards pay a fee, and then arrested him upon becoming aware he was a journalist. Doumbia filed a law suit against the arresting police officer. The suit was pending at year's end.

There were few reported incidents of harassment of media outlets by the government.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. There were numerous Internet cafes in Bamako, although home access in the capital was limited by cost. Outside of Bamako, there were a few sites where the Internet was available for public use.

Academic Freedom and Cultural Events

In contrast to 2007, there were no incidents of the government restricting academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly; however, at times the government did not respect this right in practice.

During the year the government prohibited some Muslim groups from holding marches to express opposition to a proposed law abolishing the death penalty.

On October 10, residents of the Bamako neighborhood Medina Coura accused the police of using excessive force and tear gas to disperse a group protesting a local leader's decision to place a garbage dump between two schools. Two of the protestors were injured.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right; however, the law prohibits association deemed immoral. In 2005 the governor of the District of Bamako cited this law to refuse official recognition of a gay rights association.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right.

The government required that all public associations, including religious associations, register; the process was routine and not burdensome. Traditional indigenous religious groups were not required to register.

Societal Abuses and Discrimination

The Jewish population was estimated at fewer than 50, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. Police routinely stopped and checked both citizens and foreigners to restrict the movement of contraband and to verify vehicle registrations. Some police and gendarmes extorted bribes.

The constitution and law specifically prohibit forced exile; the government did not use it.

Internally Displaced Persons (IDPs)

Attacks by Tuareg rebels displaced several thousand persons in the northern region of Kidal during the year. In April local and international aid organizations estimated that there were 3,250 IDPs in Tinzawaten, 800 in In-Bulal, 3,500 near Aguelhok, and more than 3,000 near Kidal. An unknown number of IDPs went to distant desert encampments or to Algeria.

The government provided some assistance to IDPs, allowed the International Committee of the Red Cross (ICRC) access to IDPs, and permitted IDPs to accept assistance provided by humanitarian organizations. The distances involved, difficult local terrain, land mine concerns, and rebel attacks hampered assistance efforts. The government did not attack or target IDPs or forcibly return or resettle them. After peace negotiations in August, the government and Tuareg rebels actively promoted the safe return of displaced persons; however, many persons remained displaced at year's end.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice, the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. A national committee in charge of refugees operated with institutional assistance from the UNHCR.

During the year the government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention or the 1967 protocol and provided it to 54 persons during the year.

On September 9, police arrested and beat several Congolese accorded refugee status by the UNHCR. Police released the Congolese nationals the same day after UNHCR intervention.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

In April 2007 voters elected President Amadou Toumani Toure to a second five-year term with 71 percent of the vote. Legislative elections were held in July 2007. Domestic and international observers characterized both elections as generally free, fair, and without evident fraud, but there were administrative irregularities.

Political parties generally operated without restrictions or outside interference.

Fifteen women were elected to the 147-member National Assembly. There were six women in the 27-seat cabinet, five women on the 33-member Supreme Court, and three women on the nine-member Constitutional Court; a woman chaired the Supreme Court.

The National Assembly had 15 members from historically marginalized pastoralist and nomadic ethnic minorities representing the northern regions of Gao, Timbuktu, and Kidal. The cabinet also had two members from such minorities.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, corruption was a serious problem and officials frequently engaged in corrupt practices with impunity.

On September 29, Ahmed Sow, who was appointed as the minister of energy, mines, and water in 2007, resigned due to corruption allegations stemming from his previous position as the director of the European Union's Center for

Business Development.

The Malian Anticorruption Agency (CASCA) and the independent Office of the Auditor General (OAG) are responsible for combating corruption. The CASCA oversees a number of smaller anticorruption units within various government ministries and reports directly to the presidency.

The OAG's report for 2007 (released in 2008) found approximately 31 billion CFA francs (\$15 million) in lost revenues due to fraud and mismanagement, including lost revenue in the Customs Office, the Ministry of Finance, the Ministry of Mines, the Commission for Food Security, the Office du Niger, and the state-owned cotton company.

There were no developments regarding the auditor general's annual report for 2006 (released in 2007) that cited approximately 101.4 billion CFA francs (\$218 million) in lost revenues in 2006 due to financial mismanagement, corruption, and fraud.

The constitution requires the prime minister and other cabinet members to annually submit a financial statement and written declaration of their earnings to the Supreme Court. These documents were not made public.

The law provides for public access to government information, and the government generally granted such access for citizens and noncitizens, including foreign media. If an information request is refused, the person inquiring can appeal to an administrative court, which must handle the appeal within three months.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

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

Major local human rights NGOs include the Collective of the Women NGOs and Associations (CAFO), AJM, Women and Children Rights Watch (ODEF), Women and Children's Rights Committee (CADEF), Women and Human Rights, Mali Human Rights Association (AMDH), the black Tamachek Association (TEMEDT), Mali Enjeu, and ENDA Tiers Monde.

The government cooperated with international organizations and permitted visits by UN representatives and other organizations such as the ICRC.

In 2006 Mali created a National Commission on Human Rights (CNDH), under the Ministry of Justice; however, the CNDH existed in name only and produced no reports.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on social origin and status, color, language, gender, or race, but not disability.

Women

The law criminalizes rape; however, only a small percentage of rape cases were prosecuted and most cases of rape were not reported. There is no law specifically prohibiting spousal rape, but law enforcement officials stated that the criminal laws against rape applied to spousal rape.

Domestic violence against women, including spousal abuse, was a problem. Most cases went unreported. Spousal abuse is a crime, but police were reluctant to enforce laws against or intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands because they feared such allegations would be interpreted as grounds for divorce, were unable to support themselves financially, or sought to avoid social stigma. In 2007 the government created a Planning and Statistics Unit to track prosecutions, but it was not operational.

Assault is punishable by prison terms of one to five years and fines of up to 500,000 CFA francs (approximately \$1,000) or, if premeditated, up to 10 years' imprisonment. The Ministry for the Promotion of Women, Children, and the Family distributed a guide regarding violence against women for use by health care providers, police, lawyers, and judges. The NGOs Action for the Defense and Promotion of Women Rights and Action for the Promotion of Household Maids operated shelters for abused female domestic laborers.

Prostitution is legal and common in cities.

The law does not specifically address sexual harassment, which occurred frequently.

Family law favors men, and women are particularly vulnerable in cases of divorce, child custody, and inheritance rights, as well as in the general protection of civil rights. Women had very limited access to legal services due to their lack of education and information, as well as the prohibitive cost. For example, if a woman wanted a divorce, she had to pay approximately 50,000 CFA francs (\$100) in legal and administrative fees to start the process, a prohibitive amount for most 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. A community property marriage must be specified in the marriage contract. In addition, if the type of marriage was not specified on the marriage certificate, judges presumed the marriage was polygynous. Traditional practice discriminated against women in inheritance matters, and men inherited most of the family wealth.

Women's access to employment and to economic and educational opportunities was limited. According to the National Center for Information on Women and Children, women constituted approximately 15 percent of the formal labor force. The government, the country's major employer, paid women the same as men for similar work. The Ministry for the Promotion of Women, Children, and the Family was charged with ensuring the legal rights of women.

The National Committee Against Violence Towards Women was largely nonfunctional. Several women's rights groups worked to highlight legal inequities. These groups also provided legal assistance to women and promoted women's rights.

Children

The government was committed to providing for children's welfare and rights. Several laws protect children and provide for their welfare, including an ordinance that provides for regional positions as "child delegates" to safeguard the rights and interests of children.

Many births were not registered immediately; though the government undertook a registration campaign during the year.

Students were required to provide their own uniforms and supplies. During the 2006-07 school year, 58.8 percent of children ages seven to 12 (51.7 percent of girls and 66.2 percent of boys) attended primary school. Girls'

enrollment in school was lower than boys' at all levels due to poverty, cultural tendencies to emphasize boys' education, and early marriages for girls. Other factors affecting school enrollment included distance to the nearest school, lack of transportation, and shortages of teachers and instructional materials. There were an insufficient number of schools and teachers.

Members of the black Tamachek community reported that some Tamachek children were denied educational opportunities due to slavery-like practices.

Approximately 11 percent of students attended private Arabic-language schools, or "medersas." While medersas are required to adhere to an approved national curriculum, severe shortages of trained teachers and instructional materials made it difficult for many medersas to meet national standards.

An unknown number of primary school-aged children throughout the country, mostly under age 10, attended part-time Koranic schools. Koranic schools taught only the Koran and were funded by students and their parents. Koranic masters often forced students, known as "garibouts," to beg for money on the streets or work as laborers in agricultural settings.

There were no statistics on child abuse. Most child abuse cases went unreported. The police and the social services department under the Ministry for Solidarity and Social Development investigated and intervened in cases of child abuse or neglect; however, the government provided few services for such children.

In 2007 in Bamako, the police's Division for Protection of Children and Morals rescued 125 children from prostitution, including two underage boys. A 2004 governmental study, which involved 450 interviews, found that the children most at risk for sexual exploitation were girls between the ages of 12 and 18 who worked as street vendors or domestic servants, or who were homeless children or the victims of child trafficking. Such exploitation was most prevalent in border zones, towns on transportation routes, and in mining areas. The study noted that most cases of sexual exploitation went unreported and recommended that the country strengthen its laws to protect children.

FGM was common, particularly in rural areas, and was performed on girls between the ages of six months and six years. Approximately 95 percent of adult women had undergone FGM. The practice was widespread in most regions with the exception of certain northern areas, occurred among most ethnic groups, was not subject to class boundaries, and was not religiously based. There are no laws specifically prohibiting FGM; however, a government decree prohibits FGM in government-funded health centers.

The government was unable to eliminate FGM by 2008, despite continued implementation of a two-phase plan to do so. Information campaigns regarding FGM reached citizens throughout the country and human rights organizations reported that FGM decreased among children of educated parents. In some instances, FGM practitioners agreed to stop the practice in exchange for other income-generating activities.

The marriage code allows girls under age 15 to marry if they have parental consent and special permission from a judge, and sets the minimum age for girls to marry without such consent at 15. Underage marriage was a problem throughout the country, with parents in some cases arranging marriages for girls as young as nine. According to local human rights organizations, judicial officials frequently accepted false documents claiming that girls under the age of 15 were old enough to marry.

Trafficking in Persons

The law prohibits trafficking in children, but does not address trafficking in adults, and there were reports that

women and children were trafficked to, from, and within the country. Persons, including children, were trafficked between Mali and other West African countries, including Burkina Faso, Cote d'Ivoire, Guinea, Senegal, Nigeria, and Mauritania for the purposes of forced labor and commercial sexual exploitation. Most child trafficking occurred within the country. In many cases parents in rural areas entrusted their children to traffickers, falsely believing that the children would be provided with economic or educational opportunities. Children were trafficked for agricultural work, domestic servitude, begging, gold mining, and prostitution.

Child trafficking is punishable by five to 25 years' imprisonment. There were no reports of trafficking-related prosecutions during the year.

On March 12, police in the town of Kita rescued 26 children reportedly trafficked by three Malian nationals. Of these children, 24 were Guinean citizens; they were repatriated to Guinea on March 29. The two Malian children were returned to their families. One of the arrested suspects claimed to be a Koranic school teacher. On June 20, all three suspects were released from prison on their own recognizance pending trial. At year's end no trial date had been set.

In early December NGOs repatriated seven Burkinabe children trafficked by a Koranic school teacher to the country. No charges were filed against the teacher by year's end.

The two Ivoirian nationals who were arrested in March 2007 for trafficking boys ages 16 to 18 from Cote d'Ivoire were released on their own recognizance pending trial. At year's end no trial date had been set.

The two persons arrested in 2006 for allegedly trafficking 24 persons from Burkina Faso remained in prison awaiting trial at year's end.

The Ministry for the Promotion of Women, Children, and the Family and the Ministry of Labor and Civil Service shared responsibility for combating trafficking.

When asked, the government assisted with international trafficking investigations and the extradition of citizens accused of trafficking in other countries, but there were no such cases reported during the year. The government worked closely with international organizations and NGOs to coordinate the repatriation and reintegration of trafficking victims.

Welcome centers operated by NGOs in Mopti, Segou, Sikasso, and Bamako assisted in returning trafficked children to their families. The government worked through these NGOs to provide temporary shelter and protection for victims of trafficking.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/g/tip.

Persons with Disabilities

There was no specific law protecting the rights of persons with disabilities in employment, education, access to health care, or in the provision of other state services.

There is no law mandating accessibility to public buildings. The Ministry of Social Affairs is charged with the protection of the rights of persons with disabilities.

National/Racial/Ethnic Minorities

Societal discrimination against "black" Tamacheks, often referred to by the pejorative label Bellah, continued. Some black Tamacheks were deprived of civil liberties by other ethnic groups due to traditional slavery-like practices and hereditary servitude relationships between certain ethnic groups. Black Tamachek communities in Gao and Menaka also reported systematic discrimination by local officials and others that hindered their ability to obtain identity documents or voter registration cards, locate adequate housing, protect their animals from theft, seek legal protections, or access development aid.

Other Social Abuses and Discrimination

Societal discrimination based on sexual orientation occurred.

Societal discrimination against persons with HIV/AIDS occurred.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form or join independent unions of their choice without previous authorization or excessive requirements, and workers exercised these rights. Only the military, the gendarmerie, and the National Guard were prohibited from forming unions. An estimated 95 percent of salaried employees were organized, including teachers, magistrates, health workers, and senior civil servants.

The law allows unions to conduct their activities without interference, and the government respected this right in practice.

Unions have the right to strike, and workers exercised this right. Civil servants and workers in state-owned enterprises are required 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 State Reforms. The labor code prohibits retribution against strikers, and the government generally enforced these laws effectively.

b. The Right to Organize and Bargain Collectively

The law provides for the right to collective bargaining, and workers exercised this right freely. The law does not prohibit antiunion discrimination, but there were no reports of antiunion behavior or activities during the year.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, such practices occurred.

The law prohibits the contractual use of persons without their consent; penalties include a fine and hard labor. Penalties increase to 20-years imprisonment if a person under age 15 years of age is involved.

Many black Tamacheks continued to be subjected to slavery-like practices and hereditary servitude relationships, particularly in the northern regions of Gao, Timbuktu, and Kidal.

In March Agiachatou walet Touka, a black Tamachek woman, filed a lawsuit in Menaka against Sagoudene ag Adime, claiming she was a victim of slavery and that several of her family members remain in captivity. Judicial

authorities took no action on the case during the year.

Also in March Iddar ag Ogazide, a black Tamachek, filed a complaint in the city of Gao against Erzaghi ag Bayes for slave holding. Ag Ogazide and his wife allegedly lived in servitude to the ag Bayes family. In April antislavery activists helped ag Ogazide recover his three-year-old son from ag Bayes. As part of the complaint, ag Ogazide demanded the release of two family members that he claimed were still held by ag Bayes. Judicial authorities took no action on this case during the year.

In 2007 in Menaka, Tatche walet Ekadaye filed a complaint against Ahmed Iknane ag Bakka that included an accusation against him for slave-holding. According to the complaint, ag Bakka claimed traditional ownership rights over Tatche and her family, and in 2003 had abducted five children from Tatche's family. Two of the children were rescued by government authorities a few months later. Ag Bakka continued to hold the two remaining children during the year. No action was taken on the case by year's end.

There were no developments in the case of Moumou ag Tamou, a black Tamachek child taken from his family by Hamed Lamine ag Alwafi in Kidal in September 2007. Ag Alwafi allegedly claimed traditional ownership rights over the child.

Debt bondage occurred in the salt mines of Taoudenni, which is in the north. Individuals primarily of Songhai ethnicity, including some children, worked as salt miners to pay off debts owed to businessmen in Timbuktu.

d. Prohibition of Child Labor and Minimum Age for Employment

The labor code has specific policies that pertain to child labor; however, these regulations often were ignored in practice. Child labor was a problem. Child labor predominated in the agricultural, mining, and domestic help sectors and, to a lesser degree, in craft and trade apprenticeships and cottage industries.

The labor code permits children between the ages of 12 and 14 to work in domestic work or light seasonal work, and limits the number of hours that they may work. No child is permitted to be employed for more than eight hours per day under any circumstances. Female children ages 16 to 18 cannot be employed for more than six hours per day. However, these regulations were not enforced in practice.

A 2005 survey found that two-thirds of children age five to 17 were economically active and that most of these children were subjected to the worst forms of labor. Some Koranic schoolmasters forced boys to beg for money. Children, especially girls, were used for forced domestic labor and prostitution. Child labor in the mining sector, including salt mining in Taoudenni and gold mining, was also a problem. Black Tamachek children were used as forced domestic and forced agricultural laborers.

The authorities enforced labor code provisions through inspectors from the Ministry of Labor and State Reforms, which conducted surprise inspections and complaint-based inspections; however, resource limitations restricted the frequency and effectiveness of oversight by the Labor Inspection Service, which operated only in the formal sector.

A 43-member national committee for child labor and trafficking issues worked to develop a list of the worst forms of child labor. The committee is composed of 13 ministries as well as NGOs, and is chaired by the Ministry of Labor. The government did not approve the list by year's end.

e. Acceptable Conditions of Work

The national minimum wage rate, set during the year, was 28,465 CFA francs (\$60) per month, which did not

provide a decent standard of living for a worker and family. The minimum wage was supplemented by a required package of benefits, including social security and health care. While this total package could provide a minimum standard of living for one person, most wage earners supported large extended families. Persons working in informal and subsistence sectors did not receive the minimum wage. The labor code specifies conditions of employment, including hours, wages, and social security; however, many employers either ignored or did not comply completely with the regulations.

The legal workweek was 40 hours (45 hours for agricultural employees), with a requirement for a 24-hour rest period. Workers had to be paid overtime for additional hours. The law limits overtime to eight hours per week. Labor inspectors usually visited work sites only after complaints were filed by labor unions.

The law provides a broad range of legal protections against hazards in the workplace; however, authorities did not effectively enforce these standards. Workers' groups brought pressure on employers to respect sections of the regulations. With high unemployment, however, workers often were reluctant to report violations of occupational safety regulations. The Labor Inspection Service oversees these standards but limited enforcement to the formal sector. It was not effective in investigating and enforcing workers' safety and was insufficiently funded for its responsibilities. Workers had the right to remove themselves from dangerous work situations and to request an investigation by the Social Security Department, which is responsible for recommending remedial action where deemed necessary; it was not known if any worker had done so.