

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mali has been a member of ILO-IPEC since 1998.²⁷⁵⁵ Mali is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.²⁷⁵⁶ In 2003, USDOL funded a USD 3 million education initiative to increase access to quality, basic education to children at risk of child trafficking in Mali.²⁷⁵⁷

In June 2002, the U.S. State Department's Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Mali. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among donors, funding of regional and international organizations, and direct funding for host government or local NGOs.²⁷⁵⁸

In January 2002, the Government of Mali, in collaboration with INTERPOL, organized a meeting that was attended by officials from Benin, Burkina Faso, Gabon, Cote d'Ivoire, Niger, and several UN agencies and NGOs, to discuss child trafficking in West and Central Africa. Issues that were covered included prevention of trafficking, rehabilitation of victims, and the implementation of a September 2000 agreement between Côte d'Ivoire and Mali to combat child trafficking. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.²⁷⁵⁹ The September 2000 agreement between Côte d'Ivoire and Mali included provisions for the two countries to develop national plans of action covering the prevention of child trafficking, controlling and monitoring child trafficking, and repatriating and rehabilitating children who have been trafficked.²⁷⁶⁰

The Government of Mali has established welcome centers that offer support to victims of trafficking, including shelter and medical and psychological services.²⁷⁶¹ In 2001, over 300 children trafficked from Mali to Cote d'Ivoire were returned to their families through assistance at Malian welcome centers.²⁷⁶² In coordination with Malian authorities, UNICEF, IOM, Save the Children/Canada, and ILO-IPEC are supporting anti-trafficking efforts through sensitization, rehabilitation, and reintegration initiatives.²⁷⁶³

²⁷⁵⁵ ILO-IPEC, *All About IPEC: Program Countries*, [online] [cited July 1, 2003]; available from <http://www.ilo.org/public/english/standards/ipecc/about/countries/index.htm>.

²⁷⁵⁶ The regional child trafficking project now covers Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. See ILO-IPEC, *Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (Phase II): Country Annex VII: Mali*, project document, RAF/01/P53/USA, Geneva, July 2001, 1.

²⁷⁵⁷ U.S. Department of Labor, *ICLP Projects Funded in FY 2003*, September 2003.

²⁷⁵⁸ The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. See U.S. Embassy - Abuja, *unclassified telegram no. 1809*, June 2002.

²⁷⁵⁹ S.E.M. Abou Drahamane Sangaré, *Déclaration par S.E.M. Abou Drahamane Sangaré, Ministre d'État, ministre des affaires étrangères, à la Session Extraordinaire de l'Assemblée Générale des Nations-Unies consacrée aux Enfants*, United Nations, May 10, 2002, [cited August 28, 2003]; available from <http://www.un.org/ga/children/ivoryf.htm>. See also Integrated Regional Information Network, *West Africa: Child Trafficking Conference Opens*, IRINnews.org, [online] 2002 [cited August 28, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=18563>. See also Integrated Regional Information Network, *Regional Efforts Against Child Trafficking*, allAfrica.com, [online] 2002 [cited November 2, 2002]; available from <http://allafrica.com/stories/200201210319.html>.

²⁷⁶⁰ ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, 8

²⁷⁶¹ U.S. Department of State, *Trafficking in Persons Report- 2003: Mali*, Washington, DC, June 10, 2003; available from <http://www.state.gov/r/pa/ei/rls/21475.htm>.

²⁷⁶² U.S. Department of State, *Country Reports on Human Rights Practices for 2002- Mali*, Washington, DC, March 31, 2003, Section 6f; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18214.htm>.

²⁷⁶³ UNICEF, *Rapport Annuel 2001: Mali*, Bamako, 2001, 43-44; available from <http://www.un.org/ml/textes/rapan01.pdf>.

In January 2002, the President of Mali, the African Football Confederation, the Organizing Committee of the Cup of African Nations, and ILO-IPEC launched an awareness raising campaign on child labor to coincide with the 2002 African Cup of Nations, a popular soccer tournament.²⁷⁶⁴ Currently, the government is in the preparation stage of conducting a national child labor survey, with technical assistance from ILO-IPEC's SIMPOC, to measure the nature and extent of child labor at a national level.²⁷⁶⁵

In 1998, the Government of Mali developed a 10-year education sector policy that aims to reach a primary enrollment rate of 75 percent by 2008 and improve educational quality and outcomes.²⁷⁶⁶ In 2000, the World Bank provided the Government of Mali with a USD 45 million loan for education sector improvements, including measures to improve the quality of schooling, increase access through the construction of new schools, and build the capacity of local government systems and personnel.²⁷⁶⁷ The World Bank is also providing a USD 3.8 million loan to the Government of Mali to increase the provision of bilingual schooling.²⁷⁶⁸ Through a USD 62.5 million bilateral agreement with the Government of Mali signed in 2002, USAID is working with the Ministry of Education to improve the quality of learning, particularly that of girls, by training teachers, improving the national curriculum, and increasing community and parent participation in schooling. Through the U.S. government's Africa Education Initiative, USAID will also assist the Ministry of Education to reach teachers in remote rural areas through a radio education program.²⁷⁶⁹ UNICEF is implementing a basic education program that focuses on construction and rehabilitation of school infrastructures; the provision of school equipment and teacher training.²⁷⁷⁰ UNICEF will also be working closely with the government of Mali to reduce gender imbalances in primary and secondary school through a targeted girls' education initiative.²⁷⁷¹

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 50.5 percent of children ages 10 to 14 years in Mali were working.²⁷⁷² Children work in the agricultural sector, in mining and gold washing, and as domestic servants in urban areas.²⁷⁷³ In some cases, children work as street beggars for marabouts as part of their education at Koranic schools.²⁷⁷⁴

²⁷⁶⁴ ILO-IPEC, *ILO Waves "Red Card" at Child Labor*, ILO-IPEC, [online] [cited July 1, 2003]; available from <http://www.ilo.org/public/english/bureau/inf/pr/2002/1.htm>.

²⁷⁶⁵ ILO-IPEC, *SIMPOC Country List*, [online] 2003 [cited July 1, 2003]; available from <http://www.ilo.org/public/english/standards/ipecc/simpoc/countries.htm>.

²⁷⁶⁶ USAID/Mali, *PRODEC*, [online] 2003 [cited June 27, 2003]; available from http://mali.viky.net/usaidd/cgi-bin/view_article.pl?id=111. See also Andrea Rugh, *Starting Now: Strategies for Helping Girls Complete Primary*, Academy for Educational Development, Washington, D.C., November, 2000, 181; available from http://www.dec.org/pdf_docs/PNACK223.pdf.

²⁷⁶⁷ World Bank, *Education Sector Expenditure Project*, [online] 2003 [cited June 26, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P040650>.

²⁷⁶⁸ World Bank, *Project Appraisal Document on a Proposed Credit in the Amount of SDR 2.8 Million to the Republic of Mali for Improving Learning in Primary Schools*, January 21, 2000, 2; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2000/04/19/000094946_00021805401060/Rendered/PDF/multi_page.pdf.

²⁷⁶⁹ USAID, *Overview of USAID Basic Education Programs in Mali*; available from http://www.usaid.gov/regions/afr/country_info/pdfs/mali.pdf. See also U.S. Department of State, electronic communication to USDOL official, February 19, 2004.

²⁷⁷⁰ UNICEF, *Rapport Annuel 2001: Mali*, 36.

²⁷⁷¹ UNICEF, *Go Girls! Education for Every Child*, [online] [cited June 24, 2003]; available from http://www.unicef.org/programme/girlseducation/25_2005/.

²⁷⁷² World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

²⁷⁷³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention on the Rights of the Child: Concluding Observations of the Committee on the Rights of the Child: Mali*, CRC/C/15/Add.113, November 1999, para. 32; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.15.Add.113.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.113.En?OpenDocument). See also ILO-IPEC, *Combating the Trafficking of Children (Phase II), project document*.

²⁷⁷⁴ *Marabouts* are Koranic teachers. See Committee for the Elimination of Racial Discrimination, *Addendum to the Fourteenth Periodic Report of States Parties due in 2001*, CERD/C/407/Add.2, prepared by Government of Mali, pursuant to Article 9 of the Convention on the Elimination of Racial Discrimination, February 2002, para. 49 [cited July 1, 2003]; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/b9dff8e90ea9ca2c1256c0e004b0b2b/\\$FILE/G0242546.doc](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/b9dff8e90ea9ca2c1256c0e004b0b2b/$FILE/G0242546.doc).

Mali is a source of trafficked children, most of whom are sold into forced labor in Côte d'Ivoire to work on coffee, cotton, and cocoa farms or to work as domestic servants.²⁷⁷⁵ Organized networks of traffickers, promising parents that they will provide paid employment for their children, reportedly sell the children to commercial farm owners for between 14,500 to 29,000 CFA (USD 25 to 51).²⁷⁷⁶ Mali is also reported to be a transit country for children trafficked to and from neighboring countries and to Europe.²⁷⁷⁷

Primary education is compulsory and free through the age of 12; however, students must pay for their own uniforms and school supplies to attend public schools.²⁷⁷⁸ The Malian education system is marked by extremely low rates of enrollment, attendance, and completion. In 1996, only 10 percent of the population ages 15 years and older had completed primary school.²⁷⁷⁹ In 2000, the gross primary enrollment rate was 61.2 percent, and in 1998, the net primary enrollment rate was 43.3 percent.²⁷⁸⁰ A significant gender disparity exists among students participating in primary school.²⁷⁸¹ Attendance rates are unavailable for Mali. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²⁷⁸² The quality of education services in Mali is also poor, due to a lack of adequate infrastructure and trained teachers, as well as the use of curriculum that has little relevance for students' lives.²⁷⁸³

Child Labor Laws and Enforcement

Article 187 of Labor Code of 1992 sets the general minimum age for employment and apprenticeship at 14 years.²⁷⁸⁴ However, Decree No. 96-178 of 1996 establishes more detailed regulations with regard to children's work. It allows children from the ages of 12 to 14 to work in certain occupations, including domestic or seasonal work, although they may not be employed for more than four and a half hours per day (two hours a day, if they are in school), or without the authorization of a parent or tutor.²⁷⁸⁵ The decree prohibits children under 16 from working in certain strenuous occupations, including mining.²⁷⁸⁶ Finally, it prohibits children under 18 years from

²⁷⁷⁵ U.S. Department of State, *Country Reports-2002: Mali*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Mali*.

²⁷⁷⁶ U.S. Department of State, *Country Reports-2002: Mali*, Section 6f. For currency conversion see FXConverter, [online] [cited July 1, 2003]; available from <http://www.oanda.com/convert/classic>.

²⁷⁷⁷ U.S. Department of State, *Trafficking in Persons Report- 2003: Mali*.

²⁷⁷⁸ U.S. Department of State, *Country Reports-2002: Mali*, Section 5.

²⁷⁷⁹ USAID, *DHS EdData Education Profiles for Africa, Data from Demographic and Health Surveys: Mali*, Washington, D.C., 5, [cited June 26, 2003]; available from http://www.dec.org/pdf_docs/PNACK134.pdf.

²⁷⁸⁰ World Bank, *World Development Indicators 2003*.

²⁷⁸¹ In 1996, the gross primary attendance rate was 48 percent for boys and 34 percent for girls. See USAID, *DHS EdData Education Profiles: Mali*, 1-3.

²⁷⁸² For a more detailed discussion on the relationship between education statistics and work, see the preface to this report. In 1996, the gross primary attendance rate was 41 percent, and the net primary attendance rate was 29 percent. In 1996, the rural net attendance rate was only 19 percent. Secondary school, which begins at age 13, has far lower attendance rates. *Ibid.*

²⁷⁸³ USAID, *USAID Mali Strategic Objectives: Basic Education*, [online] [cited June 26, 2003]; available from http://mali.viky.net/usaidd/cgi-bin/view_article.pl?id=129.

²⁷⁸⁴ Government of Mali, *Loi no 92-020 portant Code du Travail*, (September 23, 1992), Article 187; available from <http://natlex.ilo.org/txt/F92MLI01.htm>.

²⁷⁸⁵ Government of Mali, *Decret no. 96-178/P-RM portant Application de Diverses Dispositions de la Loi no 92-20 portant Code du Travail*, (June 13, 1996), Articles 189/35-36; available from <http://natlex.ilo.org/txt/F96MLI01.htm>.

²⁷⁸⁶ *Ibid.*, Articles 189/24-30. The Government of Mali has developed a list of occupations that are considered to be worst forms of child labor, as required under Article 4 of ILO Convention No. 182. These occupations include: traditional gold mining; agricultural sector occupations, and informal sector work such as young girls working as housemaids, bar/restaurant waitresses, cooks, or the use of children for money laundering schemes. See U.S. Embassy - Bamako, *unclassified telegram no. 1171*, August 2003.

engaging in work that threatens their safety or morals; from working more than eight hours per day, or from working at night.²⁷⁸⁷ The Labor Code prohibits forced or obligatory labor.²⁷⁸⁸ Penalties for violations of the minimum age law are established in the Labor Code, and range from a fine of 20,000 to 200,000 F (USD 35 to 351).²⁷⁸⁹ Legislation passed in 2001 made the trafficking of children punishable by 5 to 20 years imprisonment.²⁷⁹⁰ The government also requires that Malian children under 18 years of age carry travel documents in an attempt to slow cross-border trafficking.²⁷⁹¹ Article 183 of the Criminal Code establishes penalties for the sexual exploitation and sexual abuse of children.²⁷⁹²

Labor inspectors from the Ministry of Employment and Civil Service conduct surprise and complaint-based inspections but operate only in the formal sector and lack resources to effectively monitor child labor.²⁷⁹³ The frontier police, INTERPOL, and territorial and security authorities are responsible for enforcing the cooperative agreement to curb cross-border trafficking signed between Côte d'Ivoire and Mali.²⁷⁹⁴

The Government of Mali ratified ILO Convention 138 on March 11, 2002 and ILO Convention 182 on July 14, 2000.²⁷⁹⁵

²⁷⁸⁷ *Decret no 96-178/P-RM*, Article 189/14-16.

²⁷⁸⁸ *Code du Travail*, Article 6.

²⁷⁸⁹ *Ibid.*, Article 326. For currency conversion see FXConverter.

²⁷⁹⁰ Integrated Regional Information Network, "Mali: Ban on Child Trafficking and the Bartering of Women", IRINnews.org, [online], July 3, 2001 [cited June 26, 2003]; available from <http://www.irinnews.org>. See also U.S. Department of State, *Country Reports-2002: Mali*, Section 6f.

²⁷⁹¹ Integrated Regional Information Network, "Mali: Children to Carry Mandatory Travel Documents", IRINnews.org, [online], August 10, 2001 [cited June 26, 2003]; available from <http://www.irinnews.org/>. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Mali*.

²⁷⁹² UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1992: Mali*, CRC/C/3/Add.53, prepared by Republic of Mali, pursuant to Article 44 of the Convention on the Rights of the Child, September 1997, para. 172; available from [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.3.Add.53.En?OpenDocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.3.Add.53.En?OpenDocument).

²⁷⁹³ U.S. Department of State, *Country Reports-2002: Mali*, Section 6d.

²⁷⁹⁴ ILO-Committee of Experts on the Application of Conventions and Recommendations, *Individual Observation Concerning Convention no. 29, Forced Labor, 1930 Mali (ratification: 1960)*, Geneva, 2002; available from <http://www.ilo.org/ilolex/english>.

²⁷⁹⁵ ILO, *Ratifications by Country*, in ILOLEX, [online database] [cited June 26, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.