

Mali

Incidence and Nature of Child Labor

The ILO estimated that 49.8 percent of children ages 10 to 14 years in Mali were working in 2002.²⁵⁵² Children carry out household or field work, including activities such as cleaning, carrying water, and tending to animals starting at a young age.²⁵⁵³ Children are found working in the agricultural sector, in mining and gold washing, and as domestic servants in urban areas.²⁵⁵⁴ In some cases, children work as street beggars under a traditional Koranic educational system in which the children are forced into begging by their religious teachers as part of the learning process.²⁵⁵⁵

Mali is a source of trafficked children, most of who are sold into forced labor in Côte d'Ivoire to work on coffee, cotton, and cocoa farms, or in domestic labor.²⁵⁵⁶ Organized networks of traffickers promise parents that they will provide paid employment for their children, but then sell the children to commercial farm owners for a profit.²⁵⁵⁷ Mali is also reported to be a transit country for children trafficked to and from neighboring countries.²⁵⁵⁸

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.²⁵⁵⁹ The Malian education system is marked by extremely low rates of enrollment, attendance, and completion, particularly among girls. In 2001, the gross primary enrollment rate was 57.1 percent.²⁵⁶⁰ Gross and net enrollment ratios are based on the number of

²⁵⁵² World Bank, *World Development Indicators 2004* [CD-ROM], Washington, DC, 2004.

²⁵⁵³ Sarah Castle and Aisse Diarra, *The International Migration of Young Malians: Tradition, Necessity or Rite of Passage, Save the Children*, UNICEF, Bamako, 2004, 17.

²⁵⁵⁴ 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 for Labor Exploitation in West and Central Africa (Phase II): Country Annex VII: Mali*, project document, RAF/01/P53/USA, Geneva, July 2001.

²⁵⁵⁵ 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/b9dfff8e90ea9ca2c1256c0e004b0b2b/\\$FILE/G0242546.doc](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/b9dfff8e90ea9ca2c1256c0e004b0b2b/$FILE/G0242546.doc). See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Mali*, Washington, D.C., February 25, 2004, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27738.htm>.

²⁵⁵⁶ U.S. Department of State, *Country Reports- 2003: Mali*, Sections 6d and 6f.

²⁵⁵⁷ *Ibid.*, Section 6f.

²⁵⁵⁸ U.S. Department of State, *Trafficking in Persons Report- 2004: Mali*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm>.

²⁵⁵⁹ U.S. Department of State, *Country Reports- 2003: Mali*, Section 5.

²⁵⁶⁰ Statistics provided by the Malian Ministry of Education show a net primary enrollment rate for Mali in 2003-2004 of 53 percent overall, but 61.4 percent and 45.7 percent for boys and girls respectively. This report may cite education data for a certain year that is different than data on the same year published in the U.S. Department of Labor's 2003 Findings on the Worst Forms of Child Labor. Such data, drawn from the World Bank's World Development Indicators, may differ slightly from year to year because of

students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2001, the gross primary attendance rate was 52.5 percent and the net primary attendance rate was 38.3 percent.²⁵⁶¹ 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.²⁵⁶²

Child Labor Laws and Enforcement

Article 187 of Labor Code of 1992 sets the general minimum age for employment and apprenticeship at 14 years.²⁵⁶³ 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. However, they may not be employed for more than 4.5 hours per day (2 hours a day, if they are in school), or without the authorization of a parent or guardian.²⁵⁶⁴ The decree also prohibits children under 16 from working in certain strenuous occupations, including mining.²⁵⁶⁵ Finally, children under 18 years are not allowed to engage in work that threatens their safety or morals, work more than 8 hours per day, or work at night.²⁵⁶⁶ The Labor Code prohibits forced or obligatory labor.²⁵⁶⁷ The Labor Code establishes penalties for violations of the minimum age law, and range from a fine of 20,000 to 200,000 F (USD 35 to 351).²⁵⁶⁸

Legislation passed in 2001 made the trafficking of children punishable by 5 to 20 years of imprisonment.²⁵⁶⁹ The government also requires that Malian children under 18 years of age carry travel documents in an

statistical adjustments made in the school-age population or corrections to education data. See World Bank, World Development Indicators 2004.

²⁵⁶¹ USAID Development Indicators Service, *Global Education Database*, [online] [cited October 26, 2004]; available from <http://quesdb.cdie.org/ged/index.html>.

²⁵⁶² USAID, *USAID Mali Strategic Objectives: Basic Education*, [online] [cited May 17, 2004]; available from http://mali.viky.net/usaidd/cgi-bin/view_article.pl?id=129.

²⁵⁶³ *Loi no 92-020 portant Code du Travail*, (September 23, 1992), Article 187; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/32274/64878/F92MLI01.htm>.

²⁵⁶⁴ *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://www.ilo.org/dyn/natlex/docs/WEBTEXT/32274/64878/F92MLI01.htm>.

²⁵⁶⁵ *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 by boys; 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 19, 2003.

²⁵⁶⁶ *Decret no 96-178/P-RM*, Article 189/14-16.

²⁵⁶⁷ *Code du Travail*, Article 6.

²⁵⁶⁸ *Ibid.*, Article 326. For currency conversion see FXConverter, [online] [cited May 12, 2004]; available from <http://www.oanda.com/convert/classic>.

²⁵⁶⁹ Integrated Regional Information Network, *Mali: Ban on Child Trafficking and the Bartering of Women*, [online] July 3, 2001 [cited August 17, 2004]; available from http://www.irinnews.org/report.asp?ReportID=9073&SelectRegion=West_Africa&SelectCountry=MALI. See also U.S. Department of State, *Country Reports- 2003: Mali*, Section 6f.

attempt to slow cross-border trafficking.²⁵⁷⁰ However, a recent study concluded that the legislation is largely ineffective and may result in increased vulnerability of children due to corruption.²⁵⁷¹ Article 183 of the Criminal Code establishes penalties for sexual exploitation and abuse.²⁵⁷²

Labor inspectors from the Ministry of Employment and Civil Service conduct surprise and complaint-based inspections in the formal sector, but, according to the U.S. Department of State, lack resources to effectively monitor and enforce child labor.²⁵⁷³ Labor inspections were also conducted by government monitors when NGOs or the media reported cases of abusive child labor, as part of ILO-IPEC's work in the country.²⁵⁷⁴ The frontier police, INTERPOL, and territorial and security authorities are responsible for enforcing the cooperative agreement to curb cross-border trafficking signed between the Governments of Côte d'Ivoire and Mali.²⁵⁷⁵

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

The Government of Mali is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitive labor in West and Central Africa.²⁵⁷⁶ The government is also participating in a USDOL-funded program to increase access to quality, basic education to children at risk of child trafficking in Mali.²⁵⁷⁷

Selected Child Labor Measures Adopted by Governments		
Ratified ILO Convention 138	3/11/2002	✓
Ratified ILO Convention 182	7/14/2000	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		✓

Several Malian government ministries have collectively developed a program to assist trafficking victims, raise public awareness about the problem, and strengthen the legal system as it applies to the trafficking of minors. As an element of this initiative, the government operates welcome centers in several cities to aid

²⁵⁷⁰ *Government of Mali, Determinant les Specifications Techniques du Titre de Voyage Tenant Lieu D'Autorisation de Sortie Pour Les Enfants Ages de Zero a Dix-Huit Ans*, (February 20). See also Integrated Regional Information Network, *Mali: Children to Carry Mandatory Travel Documents*, [online] August 10, 2001 [cited May 17, 2004]; available from http://www.irinnews.org/report.asp?ReportID=90738.SelectRegion=West_Africa&SelectCountry=MALI. See also 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>.

²⁵⁷¹ Sarah Castle and Aisse Diarra, *International Migration of Young Malians*, Executive Summary.

²⁵⁷² 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).

²⁵⁷³ U.S. Department of State, *Country Reports- 2003: Mali*, Section 6d.

²⁵⁷⁴ *Ibid.*

²⁵⁷⁵ 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>.

²⁵⁷⁶ The regional child trafficking project now covers Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. The Government of Mali will continue to participate in the project through June 2007. See ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, 1, as amended.

²⁵⁷⁷ U.S. Department of Labor, *ICLP Projects Funded in FY 2003*, September 2003. See also ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document.

child trafficking victims to return to their families.²⁵⁷⁸ In coordination with Malian authorities, UNICEF, IOM, Save the Children/Canada, Save the Children/US, and local NGOs are supporting the anti-trafficking efforts through sensitization, rehabilitation, and reintegration initiatives.²⁵⁷⁹

In March 2004, the IOM hosted a 2-day workshop on child trafficking in Bamako, the capital of Mali, with participation by the Governments of Mali, Senegal and Guinea, as well as European countries and the United States. The workshop aimed to promote regional strategies for combating the problem.²⁵⁸⁰ In addition, the Government of Mali maintains a September 2000 agreement with Côte d'Ivoire including 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.²⁵⁸¹

The Government of Mali continues to implement a 10-year education sector policy that aims to reach a primary enrollment rate of 75 percent and improve educational quality and outcomes by 2008.²⁵⁸² The government is also being supported by a 45 million World Bank loan for ongoing 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.²⁵⁸³

Through a USD 62.5 million bilateral agreement with the Government of Mali signed in 2001, USAID is working with the Ministry of Education to improve the quality of learning by training teachers, improving the national curriculum, and increasing community and parent participation in schooling.²⁵⁸⁴ 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.²⁵⁸⁵ UNICEF is supporting an education for life initiative to promote access to quality education and provide life skills to children, particularly girls, who have dropped out or are not enrolled.²⁵⁸⁶

²⁵⁷⁸ Government agencies working on this initiative include the Ministry for the Promotion of Women, Children and the Family, the Ministry of Labor and Civil Service, the Ministry of Foreign Affairs, and the Ministry of Territorial Administration. See U.S. Department of State, *Country Reports- 2003: Mali*, Section 6f.

²⁵⁷⁹ UNICEF, *Rapport Annuel 2001: Mali*, Bamako, 2001, 43-44; available from <http://www.un.org/ml/textes/rapan01.pdf>. See also Sarah Castle and Aisse Diarra, *International Migration of Young Malians*, 175-80.

²⁵⁸⁰ IOM, *Press Briefing Notes 23 March 2004*, IOM, [online] 2004 [cited May 17, 2004]; available from <http://www.iom.int/en/news/pbn230304.shtml>.

²⁵⁸¹ ILO-IPEC, *Combating the Trafficking of Children (Phase II)*, project document, 8.

²⁵⁸² USAID/Mali, *Programme Decennal de Developpement de l'Education (PRODEC)*, [online] 2003 [cited May 17, 2004]; 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.

²⁵⁸³ The loan was issued in 2000. See World Bank, *Education Sector Expenditure Project*, [online] 2003 [cited May 12, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P040650>.

²⁵⁸⁴ USAID, *USAID's Education Programs in Africa, Country Summaries: Mali*, USAID, 2003, 18-19; available from http://www.usaid.gov/locations/sub-saharan_africa/sectors/ed/afr_ed_profiles.pdf.

²⁵⁸⁵ Ibid. See also U.S. Department of State, electronic communication to USDOL official, February 19, 2004.

²⁵⁸⁶ *At a Glance: Mali*, UNICEF, [online] 2004 [cited May 17, 2004]; available from <http://www.unicef.org/infobycountry/mali.html>.