

# Mali

## Incidence and Nature of Child Labor

An estimated 21.4 percent of children ages 5 to 14 years were counted as working in Mali in 2001. Approximately 27.4 percent of all boys 5 to 14 were working compared to 15.6 percent of girls in the same age group.<sup>2957</sup> The majority of children work in rural areas in the agricultural and domestic help sectors, and in the informal sector as street vendors, shoe shiners, and firewood cutters.<sup>2958</sup> 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. Money received from begging on the streets is reportedly used to support the schools. It was also reported that children spent more time begging on the streets than they spent learning in classrooms.<sup>2959</sup>

Mali is a point of origin, as well as a transit and destination country, for trafficked children. Increased controls at the Cote d'Ivoire border altered trafficking routes and decreased trafficking in general to that country, while the flow of trafficked persons to other neighboring countries increased.<sup>2960</sup> Children were trafficked internally to the central regions to work in rice fields. Boys in particular were trafficked to work in mines in the southeastern part of the country. Girls were typically trafficked to work as domestic servants in Bamako. Children were also trafficked between Mali and neighboring countries such as Senegal, Burkina Faso, and Guinea. Women and girls were trafficked from Nigeria for sexual exploitation.<sup>2961</sup>

Primary education is compulsory up to age 12; however, students must pay for their own uniforms and school supplies to attend public schools.<sup>2962</sup> The Malian education system is marked by extremely low rates of enrollment, attendance, and completion, particularly among girls. In 2002, the gross primary enrollment rate was 58 percent and the net primary enrollment rate was 44 percent.<sup>2963</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and, therefore, do not necessarily reflect actual school attendance. In 2001, 31.7 percent of children ages 5 to 14 years were attending school.<sup>2964</sup> As of 2001, 75 percent of children who started primary school were likely

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<sup>2957</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section in the front of the report titled "Data Sources and Definitions."

<sup>2958</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Mali*, Washington, D.C., February 25, 2005; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41614.htm>. See also CARE, *A Better Future for Mali's Children: Combating Child Trafficking through Education*, Project Document, Atlanta, October 1, 2003, 3.

<sup>2959</sup> U.S. Department of State, *Country Reports- 2004: Mali*, Section 5.

<sup>2960</sup> Ibid.

<sup>2961</sup> Ibid. See also U.S. Department of State, *Trafficking in Persons Report- 2005: Mali*, Washington, D.C., June 14, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46614.htm>.

<sup>2962</sup> U.S. Department of State, *Country Reports- 2004: Mali*, Section 5.

<sup>2963</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

<sup>2964</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

to reach grade five.<sup>2965</sup> The quality of formal education services in Mali is poor due to inadequate infrastructure, lack of trained teachers, pedagogic materials, and use of curriculum that has little relevance for students' lives.<sup>2966</sup>

## Child Labor Laws and Enforcement

Article 187 of the Labor Code of 1992 sets the general minimum age for employment and apprenticeship at 14 years.<sup>2967</sup> Article D 189-35 allows for some exceptions, stating that children ages 12 to 14 may be employed with the express authorization of their parents or guardians if they work in the same establishment and at their side. However, they may not be employed for more than 4.5 hours per day (2 hours a day if they are in school).<sup>2968</sup> Children under 18 years are not allowed to engage in work that threatens their safety or morals, exceeds 8 hours per day, exceeds their physical capacity, or occurs at night.<sup>2969</sup> The Labor Code establishes penalties for violations of the minimum age law, which range from a fine of 20,000 to 200,000 F (USD 36 to 360).<sup>2970</sup>

The worst forms of child labor may be prosecuted under different statutes in Mali. The Labor Code prohibits forced or obligatory labor.<sup>2971</sup> In 2001 Mali's parliament approved a law making child trafficking punishable by 5 to 20 years of imprisonment.<sup>2972</sup> The government also requires that Malian children under 18 years of age carry travel documents in an attempt to slow cross-border trafficking.<sup>2973</sup> However, a recent study published by Save the Children and UNICEF concluded that the legislation is largely ineffective and may result in increased vulnerability of children due to corruption.<sup>2974</sup> Article 183 of the Criminal Code establishes penalties for sexual exploitation and abuse.<sup>2975</sup> The minimum age for military conscription into the National Youth Service is 18, and military service is reported to be voluntary in practice.<sup>2976</sup>

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<sup>2965</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

<sup>2966</sup> USAID, *USAID Mali Strategic Objectives: Basic Education*, [online] [cited June 20, 2005]; available from <http://mali.viky.net/usaidd/cgi-bin/index.pl>.

<sup>2967</sup> Government of Mali, *Loi no 92-020 portant Code du Travail*, (September 23, 1992); available from <http://www.ilo.org/dyn/natlex/docs/webtext/32274/64878/F92MLI01.htm>.

<sup>2968</sup> 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 D.189-35 & D.189-36; available from <http://www.ilo.org/dyn/natlex/docs/webtext/32274/64878/F92MLI01.htm>.

<sup>2969</sup> *Ibid.*, Articles D.189-14, D.189-15, and D.189-16.

<sup>2970</sup> *Code du Travail*, Article 326. For currency conversion see FXConverter, [online] [cited December 12, 2005]; available from <http://www.oanda.com/convert/classic>.

<sup>2971</sup> *Code du Travail*, Article 6.

<sup>2972</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Mali*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41614.htm>. See also Integrated Regional Information Network, *Mali: Ban on Child Trafficking and the Bartering of Women*, [online] 2001 [cited June 20, 2005]; available from [http://www.irinnews.org/report.asp?ReportID=9073&SelectRegion=West\\_Africa&SelectCountry=MALI](http://www.irinnews.org/report.asp?ReportID=9073&SelectRegion=West_Africa&SelectCountry=MALI).

<sup>2973</sup> 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 December 13, 2005]; available from [http://www.irinnews.org/report.asp?ReportID=10452&SelectRegion=West\\_Africa&SelectCountry](http://www.irinnews.org/report.asp?ReportID=10452&SelectRegion=West_Africa&SelectCountry). See also U.S. Department of State, *Country Reports- 2004: Mali*, Section 5.

<sup>2974</sup> Sarah Castle and Aisse Diarra, *The International Migration of Young Malians: Tradition, Necessity or Rite of Passage*, Save the Children, UNICEF, Bamako, 2004, Executive Summary.

<sup>2975</sup> 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).

<sup>2976</sup> Coalition to Stop the Use of Child Soldiers, *Global Report 2004--Country Report: Mali*, Coalition to Stop the Use of Child Soldiers, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=784](http://www.child-soldiers.org/document_get.php?id=784).

Since 1999, the Government of the Republic of Mali has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.<sup>2977</sup>

Inspectors from the Ministry of Labor and State Reforms conduct surprise and complaint-based inspections in the formal sector, but, according to the U.S. Department of State, lack of resources limit the frequency and effectiveness of the monitoring and enforcement of child labor laws.<sup>2978</sup> ILO-IPEC is responsible for investigating cases of abusive labor reported by NGOs or the media. ILO-IPEC depends on government monitors to carry out these investigations.<sup>2979</sup>

The government made significant progress in increasing public awareness and community involvement in the fight against trafficking. According to the U.S. Department of State, however, no reports confirm any action taken against those responsible for trafficking and no penalties for trafficking were imposed during the first half of 2005, the most recent date for which such information is available.<sup>2980</sup>

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

The government is one of ten countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.<sup>2981</sup> The government is also participating in a USDOL-funded program to increase access to quality basic education to children at risk of trafficking in Mali.<sup>2982</sup>

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 identify and rehabilitate trafficking victims, raise public awareness about the problem, and strengthen the legal system as it applies to the trafficking of minors. The government signed new bilateral agreements with Senegal and Burkina Faso in 2004 to improve cross-border coordination, and facilitate repatriation efforts.<sup>2983</sup> As an element of this initiative, the government operates welcome centers in several cities to aid child trafficking victims to return to their families.<sup>2984</sup> In 2005, the Government of Mali was one of nine countries to sign a multilateral

<sup>2977</sup> ILO-IPEC Geneva official, email communication to USDOL official, November 14, 2005. The State Department reports that some of the worst forms of child labor identified include traditional gold mining and agricultural sector occupations; in the informal sector, some of the worst forms of child labor identified include girls working as domestics, in restaurants, or as cooks and children used for money-laundering schemes. See U.S. Embassy- Bamako, *reporting*, August 19, 2003.

<sup>2978</sup> U.S. Department of State, *Country Reports- 2004: Mali*, Section 6d.

<sup>2979</sup> Ibid.

<sup>2980</sup> U.S. Department of State, *Trafficking in Persons Report- 2005: Mali*. See also U.S. Embassy- Bamako, *reporting*, May 26, 2005.

<sup>2981</sup> ILO-IPEC, *Combating the Trafficking in Children for Labour Exploitation in West and Central Africa*, Geneva, September 1, 2004. The regional child trafficking project now covers 6 core countries: Benin, Burkina Faso, Côte d'Ivoire, Gabon, Mali, and Togo, and 4 non-core countries: Guinea, Niger, Nigeria, and Senegal. The government of Mali will continue to participate in the project through June 2007.

<sup>2982</sup> U.S. Department of Labor International Child Labor Program, *A Better Future for Mali's Children: Combating Child Trafficking through Education*, Project Document, 2003.

<sup>2983</sup> U.S. Department of State, *Trafficking in Persons Report- 2005: Mali*.

<sup>2984</sup> Government agencies working on this issue 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. U.S. Department of State, *Country Reports- 2004: Mali*, Section 5.

agreement to coordinate mechanisms for the prevention and protection of child trafficking and prosecution of traffickers.<sup>2985</sup>

The Government of Mali received a \$45 million loan from the World Bank to support 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.<sup>2986</sup>

USAID Mali funded a radio-based soap opera in 2004-05 to combat child trafficking. The 144-episodes were broadcast over 118 FM radio stations throughout Mali, as well as 51 radio stations in Burkina Faso and 25 in Côte d'Ivoire. In Mali, a survey determined that 38 percent of the target audience in the coverage area listened regularly to the program.<sup>2987</sup>

Through a 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.<sup>2988</sup> 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.<sup>2989</sup>

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<sup>2985</sup> ILO-IPEC, *Combating the Trafficking in Children for Labour Exploitation in West and Central Africa*, Geneva, September 1, 2005, 2.

<sup>2986</sup> 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>.

<sup>2987</sup> U.S. Embassy – Bamako Official, email correspondence to USDOL Official, August 2, 2006.

<sup>2988</sup> USAID, *USAID's Education Programs in Africa, Country Summaries: Mali*, USAID, 2003; available from [http://www.usaid.gov/locations/sub-saharan\\_africa/sectors/ed/afr\\_ed\\_profiles.pdf](http://www.usaid.gov/locations/sub-saharan_africa/sectors/ed/afr_ed_profiles.pdf).

<sup>2989</sup> USAID, *At a Glance: Mali*, UNICEF, [online] 2005 [cited June 27, 2005]; available from <http://www.unicef.org/infobycountry/mali.html>.