



Prepared by: British Red Cross

## MALI

### Overview of emergency legislation adopted in response to COVID-19

#### **Cut-off date for the research**

The material analysed has been gathered until the morning of 11 April 2020. The analysis is comprehensive up to that point in time.

#### **Note on the sources**

Very few information could be collected on the website of the Prime Minister of Mali and other governmental websites. The majority of the information gathered and included in the present document was therefore collected through the Facebook accounts of the Office of the Prime Minister and other Ministries and Ministers. Care has been put into ensuring that the source of the material was authentic, either through the reliance on the Facebook accounts verifying system (“blue tick”), or through redirection from official Government websites.

#### **Analysis under the different research questions**

##### ***1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?***

No mention of coordination between state and non-state actors in tackling the Covid-19 pandemic was found in any of the documents analysed.

##### ***2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?***

No mention of the Red Cross or other humanitarian actors was found in any of the documents analysed.

However, regarding its cooperation with other state and non-state actors, the Government of Mali accepted the offer of the Chinese government as well as the Jack Ma Foundation to



provide medical equipment needed for the prevention against Covid-19, such as masks and tests, which were received on 27 March 2020.<sup>1</sup> This could therefore suggest a willingness on the part of the Government to accept the support of external actors to effectively respond to the Covid-19 pandemic.

***3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?***

Limitations to the entrance in Mali have been put in place by the Government to limit the spread of Covid-19 with the exceptions described below.

(1) Self-isolation and quarantine

Starting from the beginning of March 2020, the Government of Mali adopted measures to avoid the import of Covid-19 in the country. In this regard, a Communiqué of the Ministry of Health and Social Affairs of 3 March 2020 asked for the cooperation of all passengers arriving in Mali from countries affected by Covid-19, such as Senegal, Nigeria, Tunisia, Algeria, Egypt and France, to report themselves to the closest health facility for a health check.<sup>2</sup>

On 12 March 2020 stricter measures were adopted, including the mandatory temperature screening of all passengers arriving in Mali.<sup>3</sup> (The measure was later confirmed to be applicable to passengers coming into Mali from any of its entry points, including land and river border crossings.<sup>4</sup>) Other measures adopted were the mandatory self-isolation for 14 days coupled with daily medical follow-ups for passengers coming from countries that reported more than 500 cases of Covid-19 and presenting mild symptoms, and the removal to an isolation site for testing purposes for passengers with more severe symptoms (such as a temperature above 37,5 degrees).<sup>5</sup>

Following the suspension of commercial flights from countries affected by the Covid-19 pandemic (see below), the Ministry of Health and Social Affairs reported that many passengers were entering Mali through its land border crossings.<sup>6</sup> The Ministry requested all

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<sup>1</sup> Ministry of Health and Social Affairs, “Receipt of a large consignment of medical devices for the prevention of Covid-19”, 27 March 2020.

<sup>2</sup> Ministry of Health and Social Affairs, Communiqué, “Prevention and Response to the Coronavirus epidemic”, 3 March 2020.

<sup>3</sup> Ministry of Health and Social Affairs, Communiqué of the Government of Mali on the prevention and response to the Coronavirus epidemic, 12 March 2020.

<sup>4</sup> Office of the Prime Minister, Press Release, “Covid-19 prevention: Press conference of Prime Minister Dr. Boubou Cissé”, 19 March 2020.

<sup>5</sup> Ministry of Health and Social Affairs, Communiqué of the Government of Mali on the prevention and response to the Coronavirus epidemic, 12 March 2020.

<sup>6</sup> Ministry of Health and Social Affairs, Communiqué No. 11 on the prevention and response actions to face the Covid-19 in Mali, 20 March 2020.

passengers entering Mali through one of these crossing points and coming from an affected country to self-isolate for a period of 14 days upon arrival.<sup>7</sup>

These measures did not include any exception.

### (2) The suspension of commercial flights from affected countries

The suspension from 19 March 2020 of all commercial flights from countries affected by the Covid-19 pandemic was decided following a meeting of the National Defence Supreme Council.<sup>8</sup> The measure is however not applicable to cargo flights, which are still allowed in the country.<sup>9</sup> Exceptions to this suspension were also made to allow 15 flights to repatriate Malian citizens temporarily abroad<sup>10</sup>, and one Air France flight to repatriate French citizens temporarily in Mali.<sup>11</sup>

### (3) The situation of land borders

Despite the closure of the Malian airspace for commercial passenger flights coming from countries affected by the pandemic, Malian land borders still appear to be formally open during daytime. No document among those analysed mentioned their closure, and the Communiqué of 20 March 2020 of the Ministry of Health and Social Affairs requesting passengers entering Mali through one of these crossing points to self-isolate for a period of 14 days upon arrival<sup>12</sup> appears to confirm this. The websites of the UK Government and the Italian Ministry of Foreign Affairs listing the measures adopted by Mali to face the Covid-19 pandemic also only mention the suspension of commercial flights.<sup>13</sup> Following the establishment of a curfew on the whole territory of Mali from 9 pm to 5 am starting on Thursday 26 March however, land borders are now closed during these times.<sup>14</sup>

Despite the formal openness of the Malian land borders during daytime, the closure of the borders of many neighbouring countries in practice limits greatly the possibility to enter Mali. As of 9 April 2020, the neighbouring countries that have closed their land borders are Algeria, Niger, Burkina Faso (for two weeks starting on 21 March), Guinea (for 30 days starting on 27 March following the declaration of a state of emergency), Senegal (with the exception of goods vehicles) and Mauritania.<sup>15</sup>

<sup>7</sup> *Ibid.*

<sup>8</sup> Ministry of Health and Social Affairs, Communiqué of the Special Meeting of the National Defence Supreme Council of 17 March 2020, 17 March 2020.

<sup>9</sup> *Ibid.*

<sup>10</sup> Ministry of Communication, Government Communiqué on the implementation of the suspension of commercial flights from countries affected by Coronavirus, 20 March 2020.

<sup>11</sup> Ministry of Communication, Government Communiqué on the authorization of a special Air France flight, 30 March 2020.

<sup>12</sup> Ministry of Health and Social Affairs, Communiqué No. 11 on the prevention and response actions to face the Covid-19 in Mali, 20 March 2020

<sup>13</sup> See the pages on Mali of the UK Government at <https://www.gov.uk/foreign-travel-advice/mali/coronavirus> and of the Italian Ministry of Foreign Affairs at <http://www.viaggiaresecuri.it/country/MLI> (in Italian). Last checked 9 April 2020.

<sup>14</sup> Ministry of security and Civil Protection, Press Communiqué No. 0853/MSPC-CAB, 26 March 2020.

<sup>15</sup> All information taken from the website of the UK Government (<https://www.gov.uk/foreign-travel-advice>) and the Italian Ministry of Foreign affairs (<http://www.viaggiaresecuri.it/home>).

Land access seems only to be possible at the moment from Cote d'Ivoire and Burkina Faso (unless the closure has been renewed), and from Senegal limited to vehicles transporting goods.<sup>16</sup>

***4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?***

As mentioned under question 3, no exception to the mandatory isolation and quarantine for individuals entering Mali from a country affected by Covid-19 was provided.

A limitation to the movement inside the country, in the form of a curfew, was also established on 25 March 2020. On this day, through a decree, the President of the Republic established a daily curfew on the whole territory from 9 pm to 5 am starting on Thursday 26 March.<sup>17</sup> On 26 March, the Ministry of Security and Civil Protection issued a press communiqué highlighting the measures adopted to implement the curfew, including the patrolling of all land borders, the arrest and detention of all persons not able to justify their presence outside, the dispersion of any gathering of persons and the impounding of any unauthorized means of transport.<sup>18</sup> Exceptions to the curfew include emergency services, both health-related and not, and cargo services transporting essential goods.<sup>19</sup> Despite no specific mention of humanitarian personnel, the exception for emergency services and the possibility included in the communiqué for local authorities to grant other exceptions<sup>20</sup> could allow the Red Cross to obtain the authorization to continue its activities also during the curfew.

Finally, on 10 April 2020, the President of the Republic announced that the Government was considering the possibility to isolate Bamako, which is the centre of the epidemic, from the rest of the country, and that a decision would have been reached soon.<sup>21</sup>

***5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?***

No explicit special legal facilities or exemptions for the importation of medical aid or relief items other than food could be found in any of the documents analysed.

In a speech to the nation on 10 April 2020, the President of the Republic announced that an order of 20 million reusable masks would be delivered in the course of the following week,

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<sup>16</sup> *Ibid.*

<sup>17</sup> Presidential Decree no. 2020-0170/P-RM of 25 March 2020 establishing a curfew, 25 March 2020, Art. 1.

<sup>18</sup> Ministry of security and Civil Protection, Press Communiqué No. 0853/MSPC-CAB, 26 March 2020.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> Third speech by the President of the Republic to the Nation on the Covid-19 pandemic, 10 April 2020.

and that the Government would support all local textile companies to convert their production into face masks.<sup>22</sup> In the same speech, the President also announced a three-months lowering of the taxable base for the purposes of import tax on essential goods, notably rice and milk.<sup>23</sup> This might also have an impact on the import of medical equipment, which could be considered essential for the purpose of this measure; the applicability of this measure to medical equipment is however not mentioned in the document.

Finally, it should be noted that, as described under question 3, the limitations to commercial flights do not affect cargo flights, and the Malian land borders are still open to the arrival of cargo vehicles, which means that medical equipment and relief items can still enter the country.

***6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?***

The only restrictions on business operations and opening hours found in the documents analysed were applicable exclusively to public services, and do not impact the work of humanitarian personnel. According to these restrictions, from 1 April public services are only open from Monday to Friday from 7,30 am to 2 pm, with the exception of national defence, security and health services.<sup>24</sup>

On 10 April 2020 however the President of the Republic informed the nation that the opening hours of markets and supermarkets were being reviewed, with a decision to be taken soon after.<sup>25</sup>

***7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).***

On top of the measures described in the sections above, other measures adopted by the Government of Mali to tackle the Covid-19 pandemic are:

- 1) The suspension of the participation of Malian public officials to meetings in affected countries;<sup>26</sup>

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<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> Ministry of Communication, Government Communiqué in the framework of the prevention and response to the Coronavirus, or Covid-19, pandemic, 30 March 2020.

<sup>25</sup> Third speech by the President of the Republic to the Nation on the Covid-19 pandemic, 10 April 2020.

<sup>26</sup> Ministry of Health and Social Affairs, Communiqué of the Government of Mali on the prevention and response to the Coronavirus epidemic, 12 March 2020.

- 2) The suspension of international and high-level conferences, symposia and meetings in Mali;<sup>27</sup>
- 3) The reinforcement of individual and collective hygienic measures;<sup>28</sup>
- 4) The suspension of all public, private and professional gatherings;<sup>29</sup>
- 5) The closure of public, private and religious schools until at least 9 May 2020;<sup>30</sup>
- 6) The prohibition of social, sport, cultural and political gatherings, including weddings, funerals and baptisms, with more than 50 people;<sup>31</sup>
- 7) The closure of clubs;<sup>32</sup>
- 8) The adoption of special measures for the taking place of the elections of 29 March, such as the provision of hydroalcoholic gel at polling stations;<sup>33</sup>
- 9) The creation of a Special Fund open to donations to support Mali in its fight against the Covid-19;<sup>34</sup>
- 10) The extension of the deadline of a number of taxes from 31 March 2020 to 31 May 2020;<sup>35</sup>
- 11) The provision of a special fund for vulnerable families;<sup>36</sup>
- 12) The suspension of VAT tax on electricity and water bills for the months of April, May and June;<sup>37</sup>

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<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> Ministry of Health and Social Affairs, Communiqué of the Special Meeting of the National Defence Supreme Council of 17 March 2020, 17 March 2020.

<sup>30</sup> *Ibid.* and Ministry of Communication, Communiqué of the government of Mali on the closure of schools in the Republic of Mali, 8 April 2020.

<sup>31</sup> Ministry of Health and Social Affairs, Communiqué of the Special Meeting of the National Defence Supreme Council of 17 March 2020, 17 March 2020.

<sup>32</sup> *Ibid.*

<sup>33</sup> Ministry of Communication, Message of the Government of the Republic of Mali on the sanitary conditions during the elections of 29 March 2020, 27 March 2020.

<sup>34</sup> Ministry of Communication, Government Communiqué, 30 March 2020

<sup>35</sup> Ministry of the Economy and Finances, Support measures for the Covid-19 pandemic: Extension of two months for the payments to the Tax Department, 1 April 2020.

<sup>36</sup> Third speech by the President of the Republic to the Nation on the Covid-19 pandemic, 10 April 2020.

<sup>37</sup> *Ibid.*

- 13) The free distribution of food to the most vulnerable populations;<sup>38</sup>
- 14) Economic measures to support private companies have also been adopted.<sup>39</sup>

***8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?***

No mentions of restrictions to ban the export of protective medical equipment could be found in any of the documents analysed.

**List of sources analysed**

1) Decrees

- Presidential Decree no. 2020-0170/P-RM of 25 March 2020 establishing a curfew, 25 March 2020, available at <https://www.facebook.com/www.primature.gov.ml/>.

2) Communiqués and press releases

- Ministry of Health and Social Affairs, Communiqué, “Prevention and Response to the Coronavirus epidemic”, 3 March 2020, available at <http://www.sante.gov.ml/index.php/actualites/communiques/item/3447-communiqué-du-ministere-de-la-sante-et-des-affaires-sociales-sur-la-prevention-%E2%80%A6>.
- Ministry of Health and Social Affairs, Communiqué of the Government of Mali on the prevention and response to the Coronavirus epidemic, 12 March 2020, available at <http://www.sante.gov.ml/index.php/actualites/communiques/item/3449-communiqué-du-gouvernement-du-mali-sur-la-prevention-et-la-riposte-a-l-epidémie-de-coronavirus>.
- Ministry of Health and Social Affairs, Communiqué of the Special Meeting of the National Defence Supreme Council of 17 March 2020, 17 March 2020, available at <http://www.sante.gov.ml/index.php/actualites/communiques/item/3455-communiqué-de-la-session-extraordinaire-du-conseil-supérieur-de-la-défense-nationale-du-17-mars-2020>.

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<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*



- Office of the Prime Minister, Press Release, “Covid-19 prevention: Press conference of Prime Minister Dr. Boubou Cissé”, 19 March 2020, available at [www.primature.ml/prevention-du-covid-19-conference-de-presse-du-premier-ministre-dr-boubou-cisse-2/](http://www.primature.ml/prevention-du-covid-19-conference-de-presse-du-premier-ministre-dr-boubou-cisse-2/).
- Ministry of Health and Social Affairs, Communiqué No. 11 on the prevention and response actions to face the Covid-19 in Mali, 20 March 2020, available at <http://www.sante.gov.ml/index.php/actualites/communiqués/item/3456-communique-n-11-du-ministere-de-la-sante-et-des-affaires-sociales-sur-le-suivi-des-actions-de-prevention-et-de-riposte-face-a-la-maladie-a-coronavirus>.
- Ministry of Communication, Government Communiqué on the implementation of the suspension of commercial flights from countries affected by Coronavirus, 20 March 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.
- Ministry of security and Civil Protection, Press Communiqué No. 0853/MSPC-CAB, 26 March 2020, available at <https://www.facebook.com/securite.gov.ml/>.
- Ministry of Communication, Message of the Government of the Republic of Mali on the sanitary conditions during the elections of 29 March 2020, 27 March 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.
- Ministry of Communication, Government Communiqué on the authorization of a special Ari France flight, 30 March 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.
- Ministry of Communication, Government Communiqué in the framework of the prevention and response to the Coronavirus, or Covid-19, pandemic, 30 March 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.
- Ministry of Communication, Government Communiqué, 30 March 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.
- Ministry of Communication, Communiqué of the government of Mali on the closure of schools in the Republic of Mali, 8 April 2020, available at <https://www.facebook.com/YayaBSangare/> and <https://www.facebook.com/MinComMali/>.

### 3) Speeches

- Third speech by the President of the Republic to the Nation on the Covid-19 pandemic, 10 April 2020, available at [https://www.facebook.com/www.primature.gov.ml/posts/2826700634073234?\\_tn\\_=K-R](https://www.facebook.com/www.primature.gov.ml/posts/2826700634073234?_tn_=K-R).

### 4) Other sources





- Ministry of Health and Social Affairs, “Receipt of a large consignment of medical devices for the prevention of Covid-19”, 27 March 2020, available at <https://www.facebook.com/msasmali/>.
- Ministry of the Economy and Finances, Support measures for the Covid-19 pandemic: Extension of two months for the payments to the Tax Department, 1 April 2020, available at <https://www.facebook.com/mefmali/>.
- UK Government travel advice, available at <https://www.gov.uk/foreign-travel-advice> .
- Italian Ministry of Foreign Affairs travel advice, available at <http://www.viaggiaresecuri.it/home>.