



# **McLaren Independent Mali Basketball Abuse Investigation**

INTEGRITY OFFICER REPORT  
TO THE INTERNATIONAL BASKETBALL FEDERATION  
(FIBA)

14 September 2021

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## **Chapter 1: Executive Summary**

### **1.1 Introduction**

This Report is written using the current FIBA General Statutes and Internal Regulations. Several events investigated by the McLaren independent investigation team (“MIIT”) extend back more than two decades where other FIBA statutory requirements and regulations may have been in force; these policies and regulations will need to be examined against the evidence provided in this Report by the FIBA Ethics Panel related to any disciplinary decisions not subject to the current FIBA General Statutes and Internal Regulations.

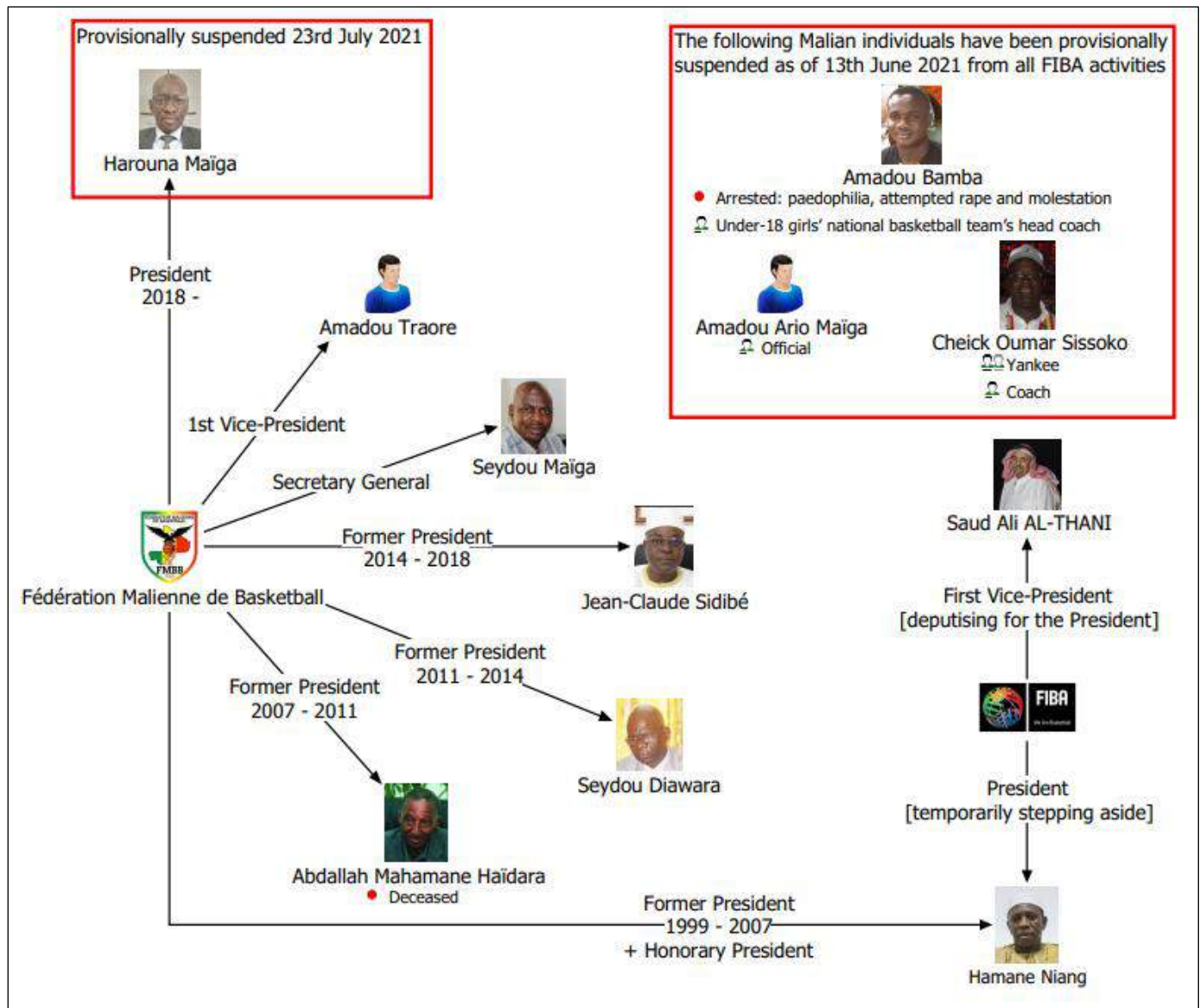
Portions of this Report are redacted for security reasons and to protect confidential witnesses from being identified. Although the MIIT has identified witnesses by unique numbers, certain descriptions of events that might reasonably be used to identify a witness have been redacted. This was done to protect witnesses from potential retaliation. A non-redacted Report will be provided to the FIBA Disciplinary Commission.

On 10 June 2021, Jeré Longman, a sports reporter with the New York Times (“NYT”) sent an email letter addressed to the FIBA Communications Department (See Appendix 1). Mr. Longman indicated that the NYT was in the process of investigating allegations of systemic sexual abuse of female basketball players since the early 2000s in Mali. The NYT reporting was based on information received from the independent journalist Romain Molina, Human Rights Watch (“HRW”), an

international non-governmental organisation that conducts research and advocacy on human rights, and other activists who claim to have spoken to multiple victims of alleged sexual abuse by certain named Mali Basketball Federation (“FMBB”) officials. The letter named three individuals as having committed acts of sexual abuse: Mr. Amadou Bamba (“Coach Bamba”), head coach of the FMBB U-18/19 Women’s National Team; Mr. Cheick Oumar Sissoko (“Yankee”), FMBB coach; and Mr. Amadou Ario Maiga, a former FMBB vice-president. The letter also named current FIBA President Mr. Hamane Niang (“President Niang”) and alleged that he had knowledge of the sexual abuse within FMBB and took no action. The letter does not accuse President Niang as having committed acts of sexual abuse or harassment, but ignoring it.

Figure 1 illustrates the individuals that were suspended and who stepped aside, along with the key leadership of the FMBB.

**Figure 1: FMBB Suspensions and Key Leadership**



On 10 June 2021, the same day that FIBA received the email letter from Mr. Longman referred to above, the FIBA Secretary General sent an email to Professor Richard H. McLaren, O.C., FIBA Independent Integrity Officer, requesting that he proceed with an investigation of the allegations and to provide an independent report to FIBA upon completion.

After the NYT letter, FIBA received correspondence on 12 June 2021 from HRW (See Appendix 2) documenting a pattern of: *“sexual harassment and abuse by Mr. Amadou Bamba, the current head coach of Mali’s Under-18 girls’ national basketball team (...)”*. The letter raised concerns about the safety of the current members of the team who were scheduled to compete at the 2021 FIBA U--19 Women’s Basketball World Cup in Hungary from 7 to 15 August 2021. Although the HRW correspondence also called for an investigation to be conducted, the FIBA Integrity Officer’s investigation had already been initiated. Subsequently, with the urging of the Integrity Officer, arrangements were also made for a chaperone to attend the World Cup in Hungary with the U-19 Women’s team.

After being made aware of the allegations in Mr. Longman’s email correspondence by FIBA, in a letter dated 12 June 2021 addressed to the FIBA Secretary General, President Niang decided voluntarily to step aside temporarily from his activities and post as FIBA President. President Niang firmly denied the allegations and agreed to fully cooperate with the investigation which he has done.

On 13 June 2021 the NYT published an article entitled: *“World Basketball Chief Steps Aside Amid Sexual Abuse Investigation”* which contained information previously disclosed to FIBA in the NYT email as well as the HRW correspondence.

The FIBA Secretary General notified the FMBB of the allegations and of their requirement to cooperate fully with the investigation conducted by the Integrity Officer. On 13 June 2021, in accordance with Article 1-172 of the FIBA Internal Regulations-Book 1 (“IR”) Mr. Harouna Maiga,

FMBB President, transmitted letters issued by FIBA to Mr. Cheick Oumar Sissoko aka “Yankee”, Mr. Amadou Ario Maiga, and Coach Bamba imposing provisional suspensions in accordance with Article 1-172 IR. The provisional suspensions are pending the issuance of this report by the Integrity Officer.

On 23 July 2021 FIBA issued a letter to Mr. Harouna Maiga, FMBB President (“President Maiga”), provisionally suspending him based on evidence gathered by the MIIT. The evidence suggests that President Maiga had misled investigators about his prior knowledge of sexual abuse and harassment within FMBB generally and in relation to specific victims. These actions were also assessed as being intimidatory to witnesses and interfering in the best practice of the investigation that was being conducted.

The MIIT interviewed a total of 31 witnesses including players, coaches, senior FMBB officials, Former Ministers of Sport, and others in the Malian basketball community. This included direct and corroborated witness testimony of abuse at the hands of Coach Bamba, and indirect or hearsay witness testimony of abuse by Cheick Oumar Sissoko and Amadou Ario Maiga. Many alleged victims and witnesses refused to be interviewed by the MIIT, fearing retaliation or shame of disclosing sexual abuse allegations. Witnesses interviewed by the MIIT described a culture of fear, retribution, and cover-ups related to victims of sexual abuse within the FMBB over decades. At least 22 potential witnesses refused to speak with the MIIT, often for these reasons. One such incident of retaliation occurred during the investigation involving the removal of **[Redacted]**.

Professor McLaren and the MIIT are acutely aware of all the pain and suffering felt and endured by many of the witnesses who spoke to us. Many were unable to share their evidence in a format that would be acceptable to a disciplinary hearing or court case. Others simply wanted to put this pain behind them and move on with their lives. With deep regret we were therefore unable to use certain witness evidence in this enquiry. We would like to commend these victims for their courage in coming forward, but recognise and accept the reasons why they could not give, or did not want to give, formal evidence.

In other instances we were given allegations of misconduct, but no evidence could be established, often for the reasons described above. Potential witnesses wouldn't relive the trauma of their past experiences or were unwilling to give formal evidence. Their personal reasons for this are accepted by the enquiry with no doubt upon their truthfulness and credibility.

Efforts to intimidate witnesses and publicly debase the independent investigation were factors that obstructed the investigation. The FMBB played a role in these efforts to intimidate witnesses and other actions to impede the investigation including conflicting, evasive, and untruthful testimony of several FMBB officials, including President Maiga. Failure to produce the requested documentation also limited the ability of the MIIT to investigate credible allegations of financial irregularities raised by multiple witnesses; a matter of concern but beyond the scope of the present investigation. It should be noted here that information management is a key component in the efficient operation and good governance of a sporting organisation. Accurately documented regulatory requirements

are essential to ensure reliable, cost-efficient sports administration and management. The FMBB failed on virtually all these requirements.

Other acts that could be reasonably construed as victim and witness intimidation were observed by the MIIT while conducting the investigation, including direct witness testimony detailing behavior. It was apparent that those sympathetic to some of the suspended individuals, including FMBB officials, had engaged in what amounted to a public relations protest campaign to discredit victims, witnesses, and cast doubt on the investigation through social media, print media, and other techniques. This included a press release issued by the FMBB that called into question the *“morality of the witnesses”* and cast doubt on the investigation. These actions led Professor McLaren to issue a letter on 8 August 2021 to Mr. Seydou Maiga, FMBB Secretary General (*“Secretary General Maiga”*), which explained that: *“The tone of this press release and campaign is most unhelpful to my investigation.”* Professor McLaren requested an interview with Secretary General Maiga and Acting FMBB President Amadou Traoré to discuss this and other matters related to the investigation including a request for certain documents.

Multiple requests for documents and other materials were made by the MIIT. While some of the requested documents were provided, the FMBB failed to provide audited financial statements, coaching personnel files, and copies of training materials. This was never provided despite repeated requests by the MIIT who also reminded the FMBB of their obligation to provide these documents in accordance with applicable FIBA General Statutes and Internal Regulations. They explained that

according to their FMBB statutes, the MIIT was not entitled to the financial statements and alleged the other documents did not exist.

The safeguarding of victims and players was a priority for the MIIT and FIBA throughout the investigation. The concern for safeguarding extended to international events scheduled during the investigation period including the Mali Women's Basketball Team's travel to the FIBA U-19 Women's Basketball World Cup in Hungary. FIBA contracted with Terre Des Hommes (TDH), a Swiss organisation for children's aid which operates various health, protection, and emergency relief programs. Chaperones were assigned to the FMBB's U-16 and U-19 Women's teams for their travel to international championships in August 2021 in Cairo and Hungary.

The MIIT was active in communicating with TDH to regularly assess and monitor the safeguarding of players including more than 40 emails<sup>1</sup> and numerous WhatsApp messages<sup>2</sup> that were exchanged. Both TDH and the assigned chaperone for the U-19 team who travelled to Hungary communicated regularly with the MIIT; one of our female French speaking investigators was in constant communications with her via WhatsApp. The MIIT would like to express its sincere gratitude to the chaperone who established an extremely good relationship of trust with the players on the team. From the outset of its investigation the MIIT was and continues to be in continuous contact with FIBA, TDH and established contacts and informants on the ground in Mali to consult and dialogue on safeguarding issues, security concerns and actions that could be taken in real time

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<sup>1</sup> Exhibit FIBA287.

<sup>2</sup> To ensure confidentiality these WhatsApp messages cannot be shared.

on the ground in Mali to protect the players and whistleblowers. The MIIT also established communications with Mali law enforcement.

Among other violations summarised in Chapter 6 of the Report, the evidence shows that the FMBB and certain other individuals linked to the FMBB violated multiple FIBA General Statutes and Internal Regulations including exhibiting little to no concern for the safeguarding of its players, non-existent safeguarding policies, interference and obstruction with the independent investigation, victim and witness intimidation, harassment of players, failure to report complaints of abuse, among others.

The MIIT has direct witness evidence that Coach Bamba sexually assaulted multiple players in addition to other forms of harassment and intimidation as defined in the FIBA Internal Regulations. This evidence is reliable and corroborated by other witnesses. The Mali police have taken an interest in the matter because of the MIIT investigation. Various in-person statements and depositions have been given to the Mali Police. Coach Bamba has been arrested and charged with criminal misconduct. According to media reports he was arrested for paedophilia, rape and indecent assault. It is believed that he remains in custody<sup>3</sup>.

Several of the allegations reported in the NYT and HRW correspondence could not be independently verified by the MIIT. No direct witnesses have agreed to corroborate the allegations contained in

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<sup>3</sup> New in 24, "Amadou Bamba, women's team coach arrested for pedophilia in Mali", online: <<https://new.in-24.com/sport/News/98242.html>> [Last accessed 08 September 2021].

the NYT article and HRW correspondence to FIBA related to Yankee and Amadou Ario Maiga. Several witnesses refused to speak to the MIIT including alleged victims named in hearsay accounts by other witnesses or in HRW and NYT reporting. Furthermore, the MIIT was unable to corroborate any allegations against FIBA President Hamane Niang, specifically as it relates to his supposed knowledge of an alleged incident of harassment perpetrated by Yankee in a nightclub in Bamako.

In addition to the allegations that gave rise to the suspension of Coach Bamba, Amadou Ario Maiga, and Yankee, the MIIT gathered evidence concerning other individuals and events of concern. This includes corroborated evidence against FMBB President Maiga who was provisionally suspended by FIBA during the independent investigation for his conduct in obstructing the investigation and for lying to investigators about his past knowledge of abuse, including direct knowledge of a complaint made by one victim.

Additional events of concern include the FMBB's terse and incomplete investigation into allegations surrounding abuse claims made in relation to the FIBA U-19 Women's World Cup in Cairo in 2020; as well as efforts to start a new and equally deficient investigation after the independent investigation had commenced. This is carefully detailed in the Report, including the role of Assistant Coach Fanta Diallou who acknowledged that several players had reported to her complaints of sexual harassment – all of which she omitted to report to the FMBB at the time notwithstanding that it was her duty to do so. She failed in her duty to report these allegations posthaste and to protect these vulnerable players.

The MIIT also provides evidence concerning a protest campaign held against the suspension of President Maiga called “Je Suis Harouna Maiga” that was staged by many individuals in the Malian basketball community, including evidence of the participation of FMBB officials. This effort, stoked by a press release issued by the FMBB that questioned the “morality of witnesses”, and served to intimidate and silence witnesses as well as cast doubt on the credibility and actions of the independent investigation.

The MIIT received several allegations from five different witnesses about alleged behavior and influence of a former FMBB President (2014-2018), Mr. Jean-Claude Sidibé; this includes allegations of witness intimidation, sexual abuse, and pressuring players to stay at a hotel owned by him when boarding arrangements were required. A 2018 newspaper article accused him of owning a brothel cited as The Mix Night Club Bamako.<sup>4</sup> The MIIT independently verified these reported allegations by deploying an on the ground investigator who found out that Jean-Claude Sidibé recently sold the Mix Night Club and it has now been renamed: After Bamako Resto & Lounge.<sup>5</sup>

The MIIT remains concerned that such allegations follow a former President who continues to mix with U-16 female players such as is alleged at the recent Afrobasket Tournament in Cairo. We can be certain that no risk assessment of allowing him to mix with U-16 players has been conducted considering these disturbing and seemingly well-known allegations.<sup>6</sup>

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<sup>4</sup> FIBA 301 is a newspaper article outlining the assertions from the reporter.

<sup>5</sup> FIBA 296 Report prepared by on the ground investigator in Bamako.

<sup>6</sup> FIBA 299 Email from Jaime Lamboy indicates that Jean-Claude Sidibé was not part of the official team delegation; however, he was present in Cairo for the 2021 FIBA U-16 Women’s African Championships.

The Report also provides commentary on the criminal prosecution system in Mali, with which several players have direct involvement because of Coach Bamba's incarceration. Many witnesses and individuals expressed concern as to how this matter was being handled by the presiding Magistrate. Other than to explain how the system of procedure operates the criticisms of the process are beyond the scope of the investigation and comment by the Integrity Officer.

Although there was great reluctance for victims and witnesses to speak to the MIIT, there is an abundance of credible hearsay witnesses that allege and speak to decades long harassment, abuse, and cover-ups within the FMBB. The MIIT received 20 such reports through an anonymous WhatsApp hotline where witnesses or their relatives left messages about abuse, but only on condition of anonymity. This includes current and former players, coaches, and FMBB officials who acknowledge the long-time existence of harassment and abuse within the FMBB. This includes FMBB President Maiga who acknowledged in evidence obtained by the MIIT that: *"Such practices exist for a very long time. It is pretty much the system in Mali but all these problems cannot be tackled so quickly as you think."*

These widely held allegations of harassment and abuse combined with evidence of witness and victim intimidation and the FMBB's obfuscation of its safeguarding obligations is of profound concern to the FIBA Integrity Officer. The evidence indicates an institutionalised acceptance of sexual abuse that is totally unacceptable. Current safeguarding policies and procedures including the FMBB Ethical Charter are poorly developed and grossly insufficient in encouraging the reporting of complaints and incidents and in protecting and supporting victims.

Chapter 5 provides a detailed overview of the independent investigation including a summary of the investigation approach and evidence gathering process. The evidence collected describes the interference and obstruction of the independent investigation, victim and witness intimidation, and the culture of harassment and abuse within the FMBB. A detailed narrative is provided on several key events and allegations that comprise the basis of the independent investigation. Chapter 6 provides a review of policy violations and other findings of the MIIT. Chapter 7 summarizes the MIIT's recommendations relying on information and evidence that it considers to be reliable, compelling and firmly established.

## **1.2 Independence of Investigation**

The role of the FIBA Integrity Officer: *"is to remain independent and impartial in performing all required functions and avoid any and all conflicts of interest."*<sup>7</sup> Professor Richard H. McLaren, O.C., as the appointed FIBA Integrity Officer as of March 2020, and the contracted FIBA Investigators Harod Associates Ltd., formed the MIIT team. Under his leadership, they combined to ensure an unbiased and independent examination of the evidence that forms the basis of this Report.

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<sup>7</sup> FIBA, Internal Regulations – Book 1, Article 1-200(a).

### 1.3 Scope of Investigation

The scope of the investigation includes an examination of the allegations against Amadou Bamba (“Coach Bamba”), Cheick Oumar Sissoko (“Yankee”), Amadou Ario Maiga, and FIBA President Hamane Niang, and other lines of enquiry developed by the Independent Integrity Officer and the MIIT during the investigation as determined by the evidence. This led to the suspension and examination of current FMBB President Harouna Maiga. Professor McLaren and his team were given complete autonomy on how to conduct the investigation; what allegations could or should be tested; and the lines of enquiry to be followed. No specific mandate was provided for the investigation further to the allegations contained in the various correspondence cited herein and no specific parameters were placed on the investigation by FIBA.

The current independent investigation was time limited and faced significant challenges including efforts to obstruct the investigation and silence witnesses. In this public report the MIIT has taken the decision not to disclose the identities of some witnesses that maybe under threat, but these details will be revealed to the FIBA Ethics Panel. The FIBA Ethics Panel may wish to take under their advisement any additional investigation that may be necessary concerning new or ongoing lines of enquiry revealed by the MIIT, but not fully investigated. For example, allegations of financial improprieties and evidence of previously silenced victims who may be willing to come forward.

The investigation was also hampered as may be expected by the influence of the Covid pandemic. At no stage of the investigation were any investigators allowed to travel to Mali due to travel

restrictions; consequently, most interviews had to be conducted by electronic means, in French, and in a few instances in a mixture of French/Bambara dialect. Nevertheless, the MIIT was able to make connections with individuals located in Mali who acted on our behalf and informed us of a wide variety of matters.

## **1.4 Summary of Allegations**

### 1.4.1 NYT Email to FIBA

On 10 June 2021 NYT reporter Jeré Longman sent an email to FIBA with allegations concerning systemic sexual harassment and abuse within the FMBB. The email named President Hamane Niang, current FIBA President and former FMBB President, as someone who may have had knowledge of sexual abuse allegations; although President Niang was not accused of committing sexual abuse. Mr. Longman, through various sources identified in the email, named the following individuals as having committed acts of sexual abuse: (1) Mr. Cheick Oumar Sissoko (“Yankee”), former FMBB Women’s National Coach; (2) Mr. Amadou Ario Maiga, former FMBB 2<sup>nd</sup> Vice-President (2014) and 1<sup>st</sup> FMBB Vice-President (2017); and (3) Mr. Amadou Bamba (“Coach Bamba”), FMBB’s U-18/19 National Coach until his suspension at the request of the Integrity Officer and his subsequent arrest. Longman’s allegations are based on interviews with victims, activists, and information received from HRW. Mr. Longman’s correspondence also claims that, according to players, the FMBB has long tried to cover- up the inappropriate behavior of Coach Bamba.<sup>8</sup>

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<sup>8</sup> FIBA 255 is a compilation of three NYT Articles dated 13 June 2021, 16 June 2021, and 31 July 2021.

From initial enquiries it became apparent that much of the material had been supplied to the NYT by independent journalist Mr. Romain Molina. Mr. Molina was cooperative with the enquiry but did not provide any direct witness testimony or evidence to corroborate the reported allegations; he did refer us to contacts within Mali.

#### 1.4.2 Human Rights Watch Letter to FIBA

HRW played a central role in bringing the allegations of abuse within the FMBB to the NYT and to FIBA directly. Following the 10 June 2021 communication from Jeré Longman of the NYT to the FIBA Communications Department, HRW issued a letter addressed to the FIBA Secretary General dated 12 June 2021 signed by Minky Worden, Director of Global Initiatives, HRW and Corinne Dufka, West Africa Director, HRW. The letter claims that: *“Human Rights Watch has documented a pattern of sexual harassment and abuse by Mr. Amadou Bamba, the current head coach of Mali’s Under-18 girls’ national basketball team (...)”* The stated purpose of the letter: *“is meant to inform you of the reports against Bamba, inquire about FIBA’s prior knowledge of Bamba’s abuse, request FIBA’s response to our findings, and urge FIBA to take immediate steps to protect Malian girls in basketball from abuse.”*

#### 1.4.3 Correspondence from William Bock III, Esq.

An Emergency Complaint for Expedited Relief from the FIBA Ethics Panel and FIBA Disciplinary Panel was brought by Mr. William Bock, an attorney with Kroger Gardis & Regas LLP on 18 August 2021.

The complaint names the FIBA Secretary General, FIBA Central Board members, and FIBA Executive Committee members. The complaint was addressed to the FIBA Ethics Commission and was copied to the FIBA Integrity Officer, the International Olympic Committee, HRW, Sports and Rights Alliance, and the FIBA Secretary General. The lawyer asserts that he is acting upon instructions from **[Name Redacted]** whom he identifies as his client. The complaint also makes public **[Name Redacted]** allegations of sexual abuse. This Report contains certain evidence that contradicts some of the pleadings made in the complaint.

#### 1.4.4 Cheick Oumar Sissoko aka “Yankee”, Hamane Niang – Bamako Victory Celebration

On 13 June 2021 the NYT published an article entitled: *“World Basketball Chief Steps Aside Amid Sexual Abuse Investigation”* which alleges: *“systemic sexual harassment and abuse of dozens of female players in Mali, the majority of them teenagers, at least since the early 2000s.”* The NYT conducted interviews with female basketball players from Mali who: *“described Niang as failing to take action and in some cases being present when misconduct was occurring.”* (See Appendix 3)

One such event cited was: *“a victory celebration at a nightclub in 2006 or 2007”* where it is alleged that: *“their coach (Cheick Oumar Sissoko aka “Yankee”) laughed and groped their breasts and buttocks as he danced with them”* as explained by two players interviewed by the NYT who were teenagers at the time of this incident. The players allege that President Niang was present during the victory celebration in Bamako, Mali, and witnessed the alleged sexual abuse. The players allege that: *“Niang watched and laughed along at the behavior of the coach.”* The article suggests that:

*“Sissoko repeatedly made lewd sexual remarks at practices that Niang attended”* but the remarks were ignored.

#### 1.4.5 Amadou Ario Maiga Lifetime Ban & Reinstatement

The NYT article claims that Hamane Niang: *“did bar for life a vice president of Mali’s basketball federation (Mr. Amadou Ario Maiga) accused of sexually abusing female players in 2003 or 2004”* according to Serigne Thiam, President of Mali’s Premier Basketball League. However, the article claims that Amadou Ario Maiga: *“had regained a prominent position in the Mali federation by 2014”* after Niang was no longer the FMBB President or Sports Minister of Mali. Given President Niang’s alleged involvement with the lifetime ban, the article suggests that in his capacity as President of FIBA and FIBA Africa, he should have spoken out about the reinstatement.

#### 1.4.6 Amadou Bamba (“Coach Bamba”)

According to the 12 June 2021 HRW letter to FIBA: *“Bamba raped, sexually assaulted, and sexually harassed numerous players on the Under-18 team, at least as recently as 2020 and dating back to 2016, his first year as the team’s coach.”* This allegation is based on interviews conducted by HRW with: *“several current and former players on the Under-18 girls’ national basketball team, their family members, and other involved in girls’ basketball in Mali.”* HRW also claims that Bamba: *“reportedly retaliated against players who refused to have sex with him, including threatening to have them imprisoned, taken off the team, and/or lost their playing time.”*

## 2020 FIBA U-18 Women's African Championship Egypt Assault

Accusations of sexual abuse against Coach Bamba include claims by a 16-year-old player<sup>9</sup> who told the NYT: *“that Bamba sexually assaulted her at the 2020-U18 African championships held last December in Egypt.”* This assault allegedly occurred after Bamba entered the player's hotel room at 2 a.m. where: *“he forced her to touch him then touched her breasts and tried to reach beneath her underwear.”* According to the player's interview with the NYT: *“(...) she fled when a teammate knocked on the door.”* This account is also reported in the 12 June 2021 HRW letter to FIBA as follows:

*“In 2020, Bamba sexually assaulted a 17-year-old player on the team in her hotel room during a team trip. Bamba entered the player's hotel room in the middle of the night and ‘made her touch certain parts on his body’ and ‘put his hands underneath her underwear.’ When she refused to have sex with Bamba, he significantly reduced her playing time on the team.”*

## 2019 U-19 Women's World Cup Thailand Assault

Another account in the NYT includes that of an 18-year-old player who said Coach Bamba: *“assaulted her when she was 16 at the 2019 U-19 Women's World Cup in Thailand.”*<sup>10</sup> It is alleged that Bamba, while alone in the room with the player: *“began touching her breasts”* after propositioning a relationship with the player in exchange for basketball apparel and shoes. The

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<sup>9</sup> The MIIT has evidence that the alleged victim was 17 years old.

<sup>10</sup> The FIBA U-19 World Cup took place in Bangkok Thailand from 20 to 28 July 2019. Mali qualified by winning the FIBA U-18 African Championships 4-12 August 2018 in Maputo.

player protested and left the room upon the assault. The player claims that she was initially left off Mali's U-18 Women's National Team that was to compete in the 2020 African Championships as a form of retribution. It is alleged that that the victimized player as well as other players complained to a female coach about Bamba's behavior resulting in threats from Bamba that: *"he had the power to have them and their parents arrested."* The player was reinstated by FMBB President Harouna Maiga but claims that: *"We were pressured by the federation not to talk about Bamba."*

## 1.5 Key Findings

1. The independent investigation was obstructed including: (1) Various activities that constitute witness and victim intimidation; (2) Evasive, contradictory, and untruthful testimony by certain officials of the FMBB; (3) Interference of the FMBB through initiating their own internal investigation; and (4) Failure to provide certain documents requested by the MIIT.
2. Safeguarding efforts and policies of the FMBB, both historically and currently, are wholly insufficient and not in compliance with Article 1-155 of the FIBA Internal Regulations, as well as any reasonable international standard related to child protection.
3. The FMBB failed in their obligation to understand and comply with FIBA's safeguarding regulations as set forth in Article 1-129 of the Internal Regulations.
4. FMBB failed to: *"guarantee the players conditions of safety, mental and physical well-being, and medical care appropriate for basketball"* as required by Article 1-90 of the FIBA Internal Regulations.

5. FMBB failed to: *“promote an environment that is safe and enjoyable and shall empower and educate Vulnerable Groups on their rights”* as required by Article 1-129 of the FIBA Internal Regulations.
6. Players on the U-19 Women’s Team who competed at the 2021 FIBA U-19 Women’s World Cup in Hungary were victims of psychological abuse<sup>11</sup> that led to feelings of guilt; they were told the reason for the team’s delay was their fault and a form of retribution for the suspension of President Maiga.
7. Coach Bamba sexually harassed and abused multiple players including direct witness testimony of such abuse. He also retaliated against certain players who he sexually harassed or abused by not selecting them to compete on Women’s National Teams. Intervention by President Maiga reversed decisions in two separate instances.
8. President Harouna Maiga lied to investigators about his prior knowledge of sexual abuse as demonstrated by the evidence gathered by the MIIT. Furthermore, he engaged in efforts that impeded the investigation.
9. Assistant Coach Ms. Fanta Diallou failed in her duty of responsibility and position of trust to report sexual harassment and abuse reported to her by players in contravention of Article 1-95 of the FIBA Internal Regulations that: *“Basketball Parties shall have an obligation to immediately report to FIBA suspected violations of the Code of conduct.”*
10. Former FMBB President Jean-Claude Sidibé continues to yield influence in the FMBB including inappropriate activities alleged by witnesses.

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<sup>11</sup> This incident meets the threshold of psychological abuse as defined in the FIBA Internal Regulations on Safeguarding, Article 1-130.

11. The MIIT was unable to independently verify the HRW and NYT allegations against Cheick Oumar Sissoko aka “Yankee”, although the hearsay evidence provided by multiple witnesses is concerning.
12. The MIIT was unable to independently verify the HRW and NYT allegations against Amadou Ario Maiga, although the hearsay evidence is concerning.
13. The MIIT was unable to independently verify the HRW and NYT allegations concerning FIBA President Hamane Niang, specifically as it relates to his knowledge of an alleged incident of harassment perpetrated by Cheick Oumar Sissoko aka “Yankee” at a nightclub. The MIIT received no direct evidence from anyone about President Niang’s knowledge of alleged sexual harassment within the FMBB.
14. An institutionalised acceptance of the abuse of players exists within the FMBB and neither action nor effort has been attempted to recognise or correct this.

## **1.6 Recommendations**

Chapter 7 provides recommendations for consideration for FIBA including matters that ought to go to the FIBA Disciplinary Commission. This includes the potential disciplinary action of individuals as well as recommendations to strengthen FMBB as an organisation through processes to ensure compliance with FIBA obligations. Further, it is recommended that FIBA reserve the right to undertake additional investigation and disciplinary actions concerning all allegations and evidence produced in this Report.

## Chapter 2: FIBA Internal Regulations and Authority

### 2.1 Introduction

There are multiple provisions contained in the FIBA General Statutes and FIBA Internal Regulations<sup>12</sup> pertaining to statutory authority, code of conduct requirements, scope of application, procedural provisions, reporting, safeguarding, and investigation processes. FIBA and the MIIT have relied on these provisions in carrying out their responsibilities related to allegations contained herein. The General Statutes state that FIBA's role is to: *“Formulate or adopt and implement appropriate policies in relation to discrimination, sexual harassment, equal opportunity, equity, drugs and doping, health, safety, infectious diseases and other such matters as arise from time to time as issues to be addressed in basketball.”*<sup>13</sup>

The General Statutes explain the obligations of its members as follows:

*“Article 9: Obligations of members*

*9.1 National member federations must:*

- a. Maintain full control and governance of basketball in their country, including without limitations control over their national competitions.*

*(...)*

- 9.2 National member federations must observe the General Statutes, the Internal Regulations, other rules and regulations and decisions of FIBA and ensure that their members and various bodies (including leagues and clubs) also comply with them. (...)*

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<sup>12</sup> The FIBA General Statutes and accompanying Internal Regulations underwent significant revisions effective March 2020. This Report refers to FIBA General Statutes, Edition 3 June 2021 and FIBA Internal Regulations, in force as of 26 March 2021.

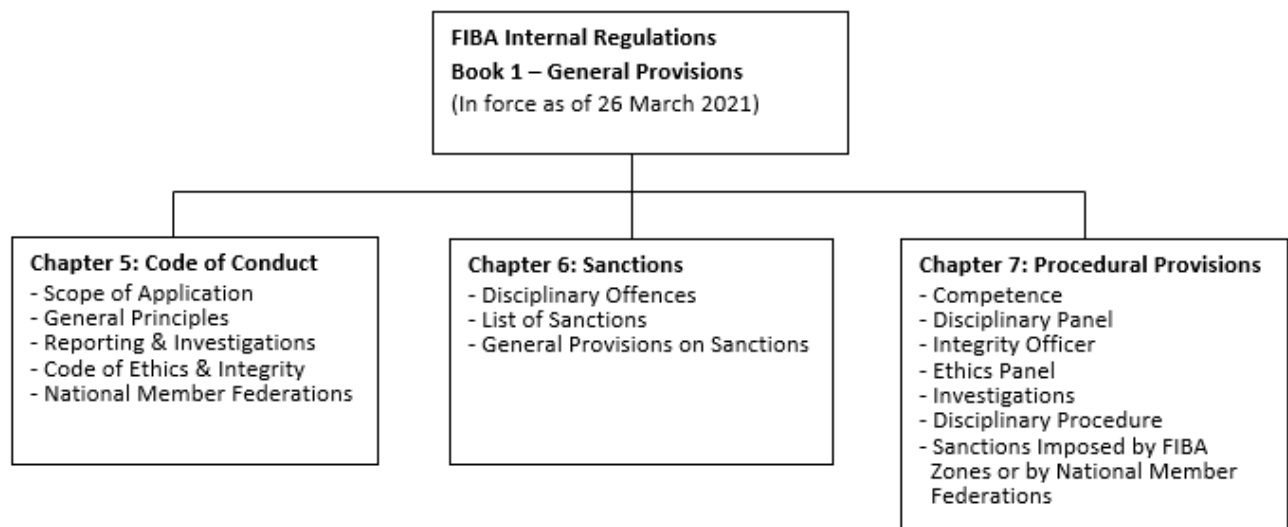
<sup>13</sup> FIBA General Statutes, Article 4: Mission and Role (d).

9.3 (...) In event of doubt or conflict, these General Statutes and the Internal Regulations of FIBA will prevail.

9.19 Non-compliance with these provisions may lead to the intervention of FIBA as appropriate, including sanctioning provided for in these General Statutes and the Internal Regulations of FIBA.”

The key provisions contained in FIBA Internal Regulations pertinent to this investigation are illustrated in Figure 2.

**Figure 2: FIBA Internal Regulations (“Internal Regulations”)**



The Safeguarding and Integrity Policy was applicable from June 2019 to March 2020. Then, on March 2020, the Internal Regulations were amended in order to integrate the main aspects of the Safeguarding and Integrity policy into the FIBA Code of Conduct. Safeguarding appears as a sub-heading under Code of Ethics and Integrity in the current Internal Regulations (Safeguarding Articles 1-127 to Articles 1-130).

As a recognised National Member Federation, FMBB is subject to the General Statutes and Internal Regulations as are the coaches, players, player-support personnel, staff, employees, executives and others. The conduct alleged to have occurred that initiated this investigation – harassment, abuse, failure to report – is covered by the Safeguarding Policy in force at the time of the alleged conduct, as well as by the current Safeguarding Articles 1-127 to 1-130.

## 2.2 Integrity Officer

Professor Richard McLaren is the FIBA Integrity Officer who was appointed by the FIBA Central Board on 28 March 2020 in accordance with Article 1-198 of the Internal Regulations. Professor McLaren is in compliance with the following provisions of Article 1-200 of the Internal Regulations:

*“200. The Integrity Officer shall, at the time of and during the term of the appointment:*

- a. remain independent and impartial in performing all required functions and avoid any and all Conflict of Interests;*
- b. not be an employee or a member of FIBA bodies or of any of its Divisions, Regional Offices or National Member Federations; and*
- c. remain a person of unquestionable personal integrity.”*

Article 1-201 of the Internal Regulations outlines the role and responsibilities of the Integrity Officer as it concerns investigation of potential violations.

*“201. The Integrity Officer shall support FIBA in the investigation of any potential violation brought to his attention. For the purposes of such review, the Integrity Officer may upon FIBA’s request or approval, conduct specific investigations and collaborate with relevant public authorities.”*

Professor McLaren was duly authorised by FIBA to initiate an investigation into allegations of abuse concerning FMBB in accordance with Article 1-200. The role and responsibilities of the Integrity Officer pertaining to his independent investigation authority authorized by FIBA are governed by Article 1-202 of the Internal Regulations.

*“202. The role of the Integrity Officer is to perform the following functions:*

- a. Investigate of any alleged breaches of the FIBA Code of Ethics and Integrity or the FIBA Anti-Doping Regulations that are referred to the Integrity Officer by FIBA (see article 1-209);*
- b. Ensure all investigations conducted on behalf of FIBA are reasonable, proportionate, and in compliance with all applicable laws, regulations, and budgeting guidelines of FIBA;*
- c. Keep confidential any information obtained through reports on or investigations into potential integrity-related violations, unless authorized by FIBA to disclose to public authorities or required by law to do so;*
- d. If necessary, propose to FIBA specific expertise that may be needed in support of the investigation; and*
- e. Provide an independent report to FIBA following an investigation.”*

### **2.3 Scope of Application and General Principles**

The FMBB and the individuals named in this Report are subject to FIBA’s disciplinary powers under the terms established in Chapters 5 and 6 of the Internal Regulations. The Persons listed in Article 1-89 are collectively referred to as: *“the Basketball Parties”* who are: *“bound by, recognise, and deemed to be familiar with the General Statutes, the Internal Regulations, and other rules and regulations, policies or decisions of FIBA.”*<sup>14</sup>

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<sup>14</sup> FIBA Internal Regulations Article 1-90.

The Basketball Parties are required to comply with the FIBA General Statutes and Internal Regulations as required by Article 1-93 of the General Principles.

*“93. Basketball Parties shall comply with the FIBA General Statutes, the Internal Regulations (including, without limitation, the provisions of this Code of Conduct and all Books of the Internal Regulations), and other rules and regulations, policies or decisions of FIBA. Basketball Parties shall comply with principles of ethical conduct, loyalty, integrity and sportsmanship. They shall not take any action that has a detrimental effect on the sport of basketball, the reputation of, or any policy of FIBA.”*

## **2.4 Reporting and Investigations**

Article 1-94 of the Internal Regulations requires that: *“All Basketball Parties are encouraged to report any suspected violation of this Code of Conduct.”* Additionally, Article 1-95, states that: *“Basketball Parties shall have an obligation to immediately report to FIBA suspected violations of the Code of Conduct”* including the following circumstances related to safeguarding:

*“95. c. **Safeguarding.** Basketball Parties have a duty to report any suspected safeguarding violation (see articles 1-127-1-130).”*

Basketball Parties must comply with several Articles related to the conduct of the investigation including 1-98, 1-99, and 1-100.

*“98. Basketball Parties shall not commit any act that seeks to intimidate or threaten any act that seeks to intimidate or threaten any Person in order to prevent or discourage that Person from the good-faith reporting or collaboration with an investigation (e.g. by testifying as a witness) of a suspected violation of the Code of Conduct, or any related information, nor commit any act of retaliation related to this good-faith reporting.*

99. *All Basketball Parties shall cooperate fully with FIBA or other competent authority in upholding the Code of Conduct, including by cooperating with any investigation regarding a possible violation. Such duty includes, inter alia, compliance with (i) an order to appear and testify under oath in person to the best of the Person’s knowledge and judgement, and (ii) the duty to comply with requests for information from FIBA.*

100. *Basketball Parties shall not obstruct or delay any investigation that may be carried out by FIBA or other competent authority in relation to a possible violation of this Code of Conduct, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation. (...)*”.

## **2.5 Code of Ethics and Integrity, Safeguarding**

The Code of Ethics and Integrity applies to all Basketball Parties as defined in Article 1-90.<sup>15</sup>

Basketball Parties shall not do anything that would bring discredit or disrepute to FIBA and sport of basketball,<sup>16</sup> and shall guarantee the players conditions of safety, mental and physical well-being, and medical care appropriate for basketball.

Safeguarding is included as a sub-section of the Code of Ethics and Integrity (Articles 1-127 to 1-130) and states that: *“Everyone has the right to participate in basketball in an environment that is safe and enjoyable. FIBA is committed to protecting player welfare, including non-discrimination and the prevention of harassment and abuse.”*<sup>17</sup>

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<sup>15</sup> FIBA Internal Regulations Article 1-119.

<sup>16</sup> FIBA Internal Regulations Article 1-121(a).

<sup>17</sup> FIBA Internal Regulations Article 1-127.

Basketball Parties have an obligation to understand and comply with FIBA’s safeguarding regulations as set forth in Article 1-129. This includes ensuring the safety of any vulnerable groups in their care and always maintaining appropriate professional boundaries. Basketball Parties shall promote an environment that is safe, enjoyable and shall empower and educate vulnerable groups on their rights. Safeguarding Article 1-130 prohibits all forms of harassment, vilification, and abuse by Basketball Parties, be it physical, professional or sexual, and inflicting, facilitating or tolerating any non-accidental physical or mental injuries.<sup>18</sup>

## 2.6 National Member Federations

There are specific provisions within the Code of Conduct pertaining to policy development and implementation involving National Member Federations. *“National Member Federations are authorized and encouraged to draw up their own Code of Fair Play and Code of Ethics and Integrity based on the FIBA Code of Fair Play and FIBA Code of Ethics and Integrity, respectively, or any model document prepared by FIBA.”*<sup>19</sup> Accordingly: *“A Code of Fair Play and/or Code of Ethics and Integrity enacted by a National Member Federation is applicable within its own jurisdiction but does not override the FIBA Code of Fair Play or FIBA Code of Ethics, respectively.”*<sup>20</sup>

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<sup>18</sup> Refer to Article 1-130 (a.-i.) of the Internal Regulations for complete list of behaviors that constitute harassment including bullying, hazing, homophobia, neglect, negligence, physical abuse, psychological abuse, sexual abuse, and sexual harassment.

<sup>19</sup> FIBA Internal Regulations Article 1-153.

<sup>20</sup> FIBA Internal Regulations Article 1-154.

In addition to complying with FIBA's safeguarding policy, National Member Federations are required to develop and implement their own regulations or policies and procedures to safeguard persons from harassment and abuse as noted in Article 1-155.

*"155. National Member Federations shall develop and implement regulations or policies and procedures for safeguarding and protecting persons from harassment and abuse. These regulations or policies must comply with the following minimum requirements:*

- a. Ensure that such regulations/policies and procedures are in line with FIBA's Safeguarding provisions;*
- b. Ensure all participants in a National Member Federation's competitions are aware of and adhere to the present code; and*
- c. Advise FIBA of any disciplinary sanction imposed by the National Member Federation related to an incident that occurred in breach of the present code or similar regulations adopted by the National Member Federation."*

National Member Federations are required to be familiar with the General Statutes, the Internal Regulations, and other rules and regulations, policies or decisions of FIBA (Article 1-90) and must ensure that participants are also aware of and in compliance with the present code as noted in Article 1-155(a). National Member Federations are further obligated to develop and implement education programs for stakeholders as prescribed in Article 1-156.

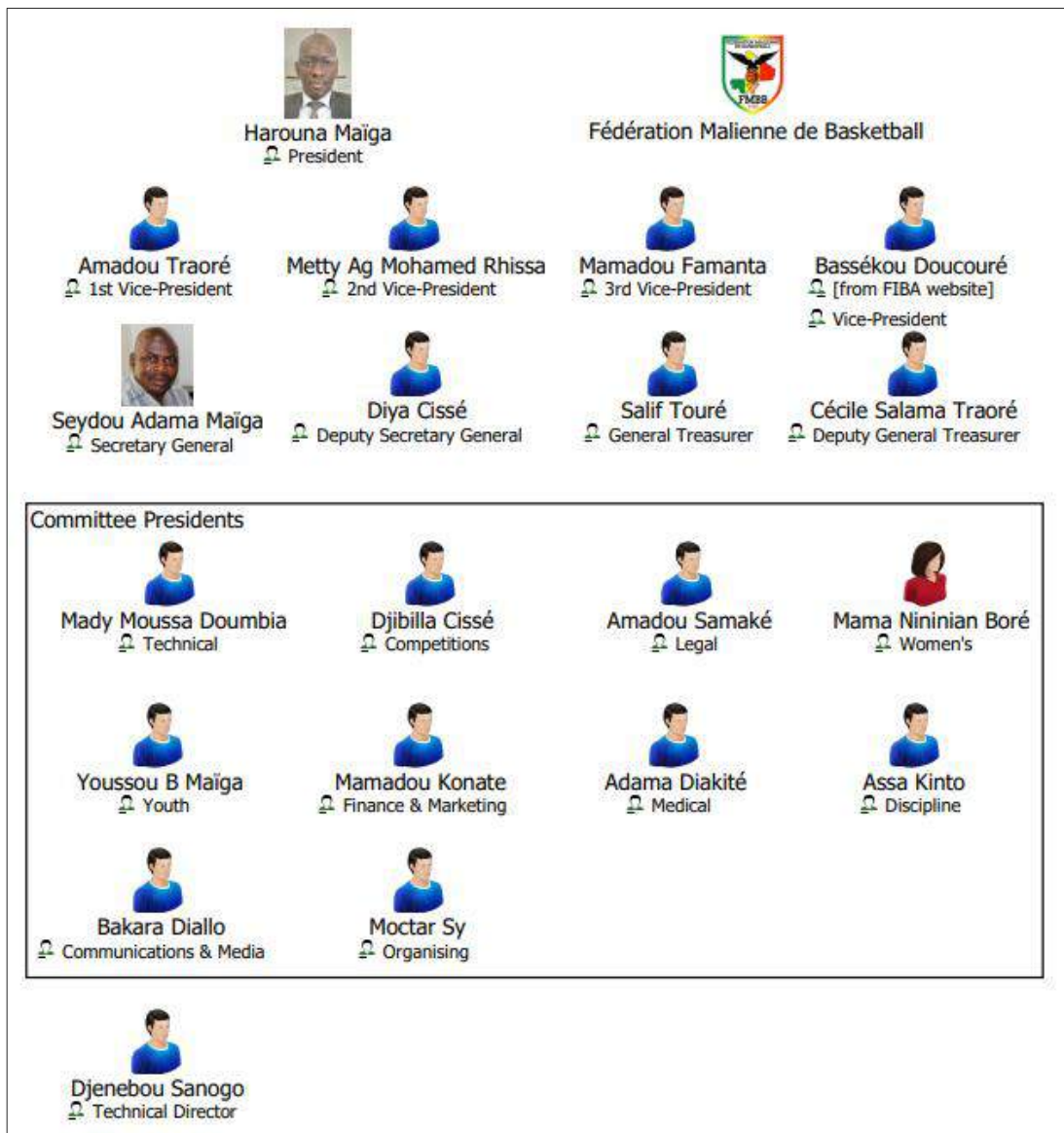
*"156. As directed by FIBA, National Member Federations shall develop and implement education programs for stakeholders in basketball aimed at raising stakeholder awareness of potential threats to integrity and familiarising stakeholders with applicable rules and regulations and reporting mechanisms."*

## Chapter 3: Mali Basketball Federation Governance and Policies

### 3.1 Organisational Chart

Figure 3 is a chart of the current organisational structure of the FMBB taken from the Federation Malienne De Basketball Minutes of 15 December 2020.

Figure 3: FMBB Organizational Chart



## 3.2 Policies

### 3.2.1 Introduction

Investigators obtained copies of several policy documents from the FMBB including: (1) Ethical Charter of the FMBB (undated) (“EC”); (2) Statutes of the FMBB (31 March 2021); (3) Internal Regulations (14 December 2019); and (4) General Regulations (2021). None of these documents are publicly accessible on any FMBB website. In addition to having to comply with FIBA’s safeguarding articles (Article 1-127 to 1-130), National Member Federations are required to develop and implement their own regulations or policies and procedures for safeguarding and protecting persons from harassment and abuse as stipulated in Article 1-155 of the Internal Regulations. Further, Article 1-155 requires certain minimum standards with respect to such policies enacted by National Member Federations. These standards include: *“Ensure that such regulations/policies and procedures are in line with FIBA’s Safeguarding provisions; Ensure all participants in a National Member Federation’s competitions are aware of and adhere to the present code; and Advise FIBA of any disciplinary sanction imposed by the National Member Federation related to an incident that occurred in breach of the present code or similar regulations adopted by the National Member Federation.”*

### 3.2.2 FMBB Statutes, Internal Regulations, and General Regulations

The scope of the independent investigation does not include a comprehensive review and analysis of FMBB policies. However, the MIIT reviewed the FMBB's Statutes, Internal Regulations, and General Regulations looking for specific provisions related to safeguarding and reporting, disciplinary provisions, and compliance as they may relate to sexual harassment and abuse.

#### Statutes

The Statutes of the FMBB govern the Federation's relationship with member organisations, including: *"the leagues and districts responsible for directing basketball at the regional and local levels."*<sup>21</sup> Coaches and other staff employed by the FMBB, by definition, are not members. Article 35: Missions of the Federal Office includes: *"promote and supervise the practice of basketball in Mali"; "ensure the Preservation of archives"; "ensure the training and follow-up of technical and administrative managers"; "enforce FIBA regulations"; "apply the sanctions provided for in the Statutes, the Rules of Procedure and General Regulations of the FMBB"; and: "ensure compliance with these Articles of Agreement and all FMBB regulations."*

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<sup>21</sup> FMBB Statutes, Article 1.4, 31 March 2021.

## Internal Rules of Procedure

Articles of the Internal Rules of Procedure that may be applicable to issues related to safeguarding and ethical conduct include Article 10: Federal Commissions and Article 14: Legal and Disciplinary Committee. Article 10 also stipulates that: *“The Archives of all federal commissions are kept in the General Secretariat”* and that the reports of all federal commissions shall include: *“a copy of which shall be kept at the headquarters of the federation.”*<sup>22</sup> Article 14 includes the following obligations of the Legal and Disciplinary Committee: *“Ensures the application of the sanctions provided for by the statutes – general regulations (...);”*; *“Keep a file of sanctions pronounced by the Federal Bureau and by the affiliated leagues”*; and *“Promotes ethics and discipline.”* The principal focus of the Internal Rules of Procedure are the leagues and districts. For example, the Legal and Disciplinary Committee: *“Decides on the cases of disobedience of affiliated members.”*

Article 24: The National Technical Director includes the following obligations: *“Supervises all teams in Mali (...);”*; *“Coordinates and controls the action of national coaches”*; *Ensures the training and development of coaches and facilitators of associations and centres”*; *“Keeps a file of all the coaches and leaders of the associations and centres”* and *“Develops and submits to the federal office the status of the coach.”*

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<sup>22</sup> FMBB Rules of Procedure.

## General Regulations

The General Regulations are focused on members, technical competition requirements, transfers, licences, and appeals, and discipline. Discipline components include an Appeal Panel, Arbitration processes, Remedies, and Penalties and Sanctions. However, these are all geared to field of play issues and: *“game related matters.”*<sup>23</sup>

### 3.2.3 FMBB Ethical Charter

The Ethical Charter<sup>24</sup> is an undated draft document that has not been published, circulated or communicated to any Basketball Parties, except for some coaches according to the FMBB. In an interview with the MIIT on 1 July, President Maiga said that he was not aware of Article 1-155 and that he wrote to FIBA to request a copy of these rules.<sup>25</sup> President Maiga also stated that: *“The Code has not yet been circulated to all due to Covid but coaches have seen it.”* He further advised the MIIT that the FMBB: *“will plan meetings with teams to inform them of the Code of Ethics content once regular meetings resume with teams.”* President Maiga stated that the EC was being incorporated into FMBB employment contracts and violations of the EC could be used as a cause for dismissal. The initial purpose of developing the EC, as explained by President Maiga, was for a program for the men’s national team.

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<sup>23</sup> FMBB General Regulations.

<sup>24</sup> Charte d’éthique de la FMBB.

<sup>25</sup> National Member Federations are required to be familiar with the General Statutes, the Internal Regulations, and other rules and regulations, policies or decisions of FIBA (Article 1-90).

The EC states the following pertaining to its development: *“The Malian Basketball Federation (FMBB), in accordance with the Statutes and General Regulations, decided to draft an Ethical Basketball Charter, inspired by the Ethical Charter of the National Olympic and Sports Committee of Mali, thus defining the fundamental values of our sport and the principles of good conduct.”*

Amadou Samaké told investigators that he is the one who wrote the EC along with his Commission. According to Samaké, the last version of the EC was communicated internally, but has not been communicated to anyone for validation. However, he states that the players selected for the national team should have seen it. He said that his job is to draft the EC, not to disseminate it or circulate the rules.

The EC identifies all individuals who are to be subject to and bound by it as either: *“Basketball Players”*: players, referees, match officials, educators, coaches, technical supervision and medical and paramedical supervision, sports agents, leaders, staff of clubs and associations, regional leagues, the district, the Malian Basketball Federation, as well as volunteers; or *“Basketball Institutions”*: Sports association, amateurs, the federal office and its regional leagues.

In an interview with the MIIT, President Maiga referenced Article 10 and Article 5 of the EC for the protection of athletes. He claimed that these articles protect not only athletes, but all individuals who participate in basketball: *“identifying the many possible shortcomings.”* Article 5: Banish Violence and Cheating, provides a non-exhaustive list of behaviors that must be denounced, including: *“any verbal or physical assault on any person or group of persons”* and: *“any*

*discrimination (in relation to sex, appearances, physical abilities, social condition, religious and political opinions), racist, homophobic or xenophobic behavior.”* There are no references in Article 5 to sexual harassment or sexual abuse. Article 10: Guaranteeing the Independence of Basketball Institutions, does not address the protection of athletes; rather, it makes an argument for the need for the democratic functioning of sport institutions generally, without any reference to the FMBB or its safeguarding obligations.

National Member Federations shall develop and implement regulations or policies and procedures for safeguarding and protecting persons from harassment and abuse. These regulations or policies must comply with the following minimum requirements: *“a. Ensure that such regulations/policies and procedures are in line with FIBA’s safeguarding provisions; b. Ensure all participants in a National Member Federation’s competitions are aware of and adhere to the present code; and c. Advise FIBA of any disciplinary sanction imposed by the National Member Federation relating to an incident that occurred in breach of the present code or similar regulations adopted by the National Member Federation.”*

The MIIT considers the EC to fall well short of meeting the FMBB’s obligations required by Article 1-155 of the Internal Regulations. The EC does not include adequate regulations or procedures for safeguarding and protecting persons from harassment and abuse. In fact, the terms harassment, abuse, vulnerable, and sexual do not appear in the EC. The EC does not meet the minimum requirements of Article 1-155(c) that requires all such regulations/policies and procedures to be in line with FIBA’s safeguarding provisions.

## Chapter 4: Safeguarding Victims and Players

### 4.1 Introduction

The safeguarding of victims and players was a priority for the MIIT and FIBA during the investigation. Safeguarding issues were raised by Ms. Minky Worden of HRW who asked that the MIIT recognise and address risks, pressures, and threats to witnesses and girls who have come forward to report abuses to the FMBB and to HRW.

The MIIT was in continuous contact with FIBA and others throughout the investigation to consult and dialogue on safeguarding issues, concerns, and actions on the ground in Mali. This was especially critical given the allegations contained in the NYT and HRW correspondence to FIBA. The concern for safeguarding also extended to international events scheduled during the investigation including the Mali Women's Basketball Team's travel to the 2021 FIBA U-19 Women's Basketball World Cup in Hungary and for the 2021 FIBA U-16 Afrobasket in Cairo.

FIBA contracted with TDH, a Swiss organisation for children's aid which operates various health, protection, and emergency relief programs. Chaperones were assigned to the FMBB's U-16 and U-19 Women's teams for their travel to international championships in August to Cairo and Hungary. Regular updates on the wellbeing of all players was provided to the MIIT and TDH by the chaperones. In addition, the teams were supported during training and the free services of qualified legal counsel

was made available to the players. A hotline for urgent contact concerning threats was also made available and received active use during the investigations.

## **4.2 FMBB Safeguarding Efforts**

### FMBB Safeguarding According to President Maiga

Before President Maiga’s provisional suspension on 23 July 2021, the MIIT had been in contact with him in his capacity as President of FMBB to discuss safeguarding, both past and present, including for the forthcoming 2021 Women’s Basketball World Cup in Hungary. According to President Maiga, an association of active amateur players called “Association des Basketteurs Maliens” (“ABM”) was created prior to his presidency and he approached this association to work with FMBB to protect players. However, it appears that this association did not play any substantive role in player protection and safeguarding; most complaints received by the organisation pertained to facility related issues such as repairing basketball courts, etc.

President Maiga was asked by the MIIT about what safeguarding measures the FMBB had put in place for the forthcoming 2021 U-19 Women’s Basketball World Cup<sup>26</sup> and the 2021 U-16 Women’s African Championship.<sup>27</sup> He responded by saying that the staff and coaches have been/are being educated. Earlier in the interview President Maiga said that on-line training was mandatory for

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<sup>26</sup> Note: The 2021 FIBA U-19 Women’s World Cup was held on 07-15 August in Hungary.

<sup>27</sup> Note: The 2021 FIBA U-16 Women’s African Championship was held on 07-15 August in Cairo, Egypt.

coaches, but not for support staff. It is unclear and unconvincing to the MIIT as to the extent and completion of training by coaches or support staff, particularly as on-line training does not appear to be widely accessible. The MIIT requested a copy of the on-line training from the FMBB and none was provided. President Maiga also explained to the MIIT that from now on only women chaperones and support staff will accompany the women's teams and this will be provided in the competition rules.

During the interview on 1 July, President Maiga told investigators that the FMBB were proposing to have a meeting with the team and the coaches with experts, commencing with education sessions by TDH. TDH was contracted by FIBA to assist in providing protection services to players in Mali. President Maiga also advised that: *"Rule of 2 is now an important rule, and now even more rule of 3"* and that FMBB was asking that doors remain open during exchanges with coaches. The MIIT is not aware or in possession of any written policy documents in which these rules are published.

President Maiga indicated that coaches' contracts going forward would include rules to protect athletes, as well as rights and responsibilities, and discipline. He also suggested there is a list of behaviors in the contract that coaches can be fired for including physical and verbal abuse and harassment, although these specific behaviors are not listed in the contracts reviewed by the MIIT.<sup>28</sup> The FMBB implemented some new contract language in 2021 indicating that the coach and

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<sup>28</sup> Note: The MIIT was provided with copies of two contracts for Coach Oumarou Sidiya. The revised "Contrat De Travail N 001-FMBB-2021" includes new provisions in Article 3 that impose additional reporting requirements, and causes for dismissal. Article 10: Suspension Et Resiliation lists additional prohibited behaviors including failing to cooperate, and proven immoral acts.

his staff may be fired from their functions at any time during the contract term for the following reasons: *“noted lack of discipline, noted lack of collaboration, technical shortcomings, inability to work, and proven immoral acts.”*<sup>29</sup> Contrary to President Maiga’s claims, the new contracts do not include rules to protect athletes with no mention of physical and verbal abuse and harassment. Rather, they include additional listed behaviors that can result in disciplinary action after the fact.

President Maiga said that the FMBB has many rules, but it was only at the end of 2020 that he claims they drafted a code of ethics: *“for all of their basketball.”* President Maiga told investigators that he instructed FMBB to develop this code of ethics as part of a program for the men’s national team. He claims the EC was given to their legal department and that it now covers everything. The document is undated and unpublished. He told investigators that no teams or players have gotten a copy of the EC; only some of the coaches.

#### FMBB Safeguarding according to Secretary General Maiga

Secretary General Maiga was asked what regulations, policies, or procedures for safeguarding have been developed and enacted by FMBB pertaining to FIBA Code of Ethics and Integrity Article 1-155. He claims that at the time of the 13 June NYT article, it was the first time they claim to have heard about the FIBA safeguarding regulations. He further commented that they have looked for Article 1-155 of the FIBA Internal Regulations to read it and still cannot find it.<sup>30</sup> He referenced the FMBB’s

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<sup>29</sup> Contrat de Travail No 001-FMBB-2021, Article 10, 24 May 2021.

<sup>30</sup> Note: FIBA Article 1-155 is contained in the Internal Regulations, publicly accessible and published on-line by FIBA: <general-provisions.pdf (fiba.basketball)> [last accessed 19 August 2021].

Internal Statutes and that they have a Charter for their athletes at the national selection level that was drafted two years ago. This is inconsistent with the testimony provided by President Maiga who told investigators the EC was drafted at the end of 2020. Secretary General Maiga confirmed to investigators that the EC has not been disseminated to athletes or coaches or coaching staff.

Secretary General Maiga told investigators that: *“In Mali, we have principles and good morals”* and that: *“even if it is not written, abuse is a taboo subject in our culture.”* He went on to add that the FMBB’s focus is prevention; they realised there was a void in coaches’ contracts, and they added clauses to coaches’ contracts. This contradicts information told to the MIIT in his second interview; he explained that other than international coaches, no one has coaching contracts and that the international coaches’ contracts are governed by the Ministry of Sport because it is they that pay these coaches. The MIIT’s evidence, including copies of recent coaching contracts, demonstrates that coaching contracts for international teams are issued and signed by the FMBB. Moreover, there are no new clauses in coaching contracts that address safeguarding.

Secretary General Maiga was asked about what the FMBB was doing to try to protect the girls at upcoming tournaments. He responded that there has never been a problem while they travel and: *“They will be OK”* without acknowledging any specific safeguarding initiatives. He did mention that they have tried to do many things with UNICEF and others, notwithstanding the political situation. He also said they are now focusing on the: *“Lycée Sportif”* (school and sports).

He was also asked if the FMBB have parameters for their Commission to ensure that girls who are interviewed feel protected and safe. He responded: *“No, no, no. Nothing like that. We left it to the Commission to decide how to proceed and we have not heard from them.”*

Secretary General Maiga was asked several follow-up questions concerning safeguarding efforts in a second interview on 30 August. He said that the FMBB EC is still in the drafting phase, and he does not remember the year that it was drafted. In the first interview on 2 July, he told investigators that the EC was drafted at the end of 2020. He was further asked if the FMBB had any whistleblower policies and how they would protect the girls, to which he responded: *“We would protect them”* and: *“The State would protect them.”* He was asked how the FMBB would protect girls if they came to complain to which he replied: *“It’s not up to us, it’s up to the State.”* The MIIT considers this response an abdication of the FMBB’s duty of care and responsibility for player safeguarding.

#### Other Examples of Safeguarding Concern

Witness #67, **[Redacted]**, said that they ensured that protocols were in place with the team including the rule of two, leaving hotel doors open, and not allowing people to go into a player’s hotel room alone. These protocols were implemented by this coach prior to the current draft FMBB EC and in the absence of any FMBB policies at the time concerning these rules. This was done to protect victims and to protect people in the organisation so that players cannot make things up. This coach also said that they had suggested the idea of a woman’s chaperone for the team years ago. **[Redacted]**, Witness #17 also told investigators that they put similar controls in place in 2007.

None of these safeguarding efforts taken upon themselves by [Redacted] are written in any safeguarding documents produced by the FMBB.

Amadou Traoré, FMBB Acting President, was asked by investigators if he agrees that going forward the protection of girls is paramount and there needs to be an effort to ensure that such acts are not perpetuated. He replied: *“We know. We have been put on notice. We will protect them and make sure that type of things do not ever happen again.”*

### Personnel Files

FMBB leaders including Secretary General Maiga and Acting President Traoré were asked about the personnel records of coaches and other staff held by FMBB, further to the 18 August 2021 letter issued by Acting President Traoré to the FIBA Integrity Officer.

When asked about Human Resources and record keeping, Secretary General Maiga said that staff are all volunteers and there are no personnel files, and no documents need to be filed. He said that there were no salaries until 2014 and that: *“Basic norms applied are those of our Internal statutes and regulations.”*

Acting President Traoré told investigators that the FMBB did not keep a register of its personnel and human resources files, indicating that contracts are only for the international teams and these

contracts are signed by the Ministry of Sport. However, the MIIT has in evidence coaching contracts that are signed by the FMBB President identified as the employer.

He also said that the FMBB does not keep any files on their volunteers, they do not do background checks, and they don't need to check their morality. He responded to this question by the MIIT as follows: *"Morality for what? We have faith that people who come to work for us want to do so with good intentions because it's volunteer work."* His explanation for not conducting background checks is that they assume volunteers are good people and that everyone who works at the FMBB is responsible and they are a family.

The MIIT notes that blind faith is not an acceptable safeguarding strategy by any measure. Furthermore, the complete absence of record keeping for staff, paid or volunteer, is an unacceptable practice and an abdication of their responsibility. If true this means there is or was nor corporate record kept of the suspension of any coach for predatory sexual harassment. This, combined with a lack of performance evaluation processes for staff is troubling and continues to put players at risk. Furthermore, Secretary General Maiga and Acting President Traoré's comments about the lack of record keeping is inconsistent with the FMBB's own Internal Rules of Procedure, Article 24 which states that the National Technical director is obligated to: *"(...) Keeps a file of all the coaches and leaders of the associations and centres"* and *"Develops and submits to the federal office the status of the coach."*

Acting President Traoré was asked further about what he would have done if one of the girls had come to him with a complaint. He told investigators that: *“The Bureau only deals with the administrative tasks. The technical team is in charge of the teams.”* In this admission, Acting President Traoré seems to pass the buck with respect to reporting to the technical team versus a larger duty of care by the FMBB. Furthermore, the evidence also shows that senior FMBB officials including President Maiga got personally involved in decisions involving the reinstatement of certain players on the team.

#### **4.3 Terre Des Hommes (“TDH”)**

On 23 June 2021, **[Name Redacted]** addressed a letter to the President of the FMBB. In the letter, **[Name Redacted]** requests a meeting with the FMBB to immediately put in place safeguarding and protection services for U-19 and U-16 female basketball players in Mali who will also be competing internationally. The purpose of the meeting is to discuss approaches to safeguarding these young players. At the encouragement of the MIIT, TDH was formally directed by FIBA on 24 June 2021 to put in place safeguarding and protection services for female basketball players in Mali. The MIIT was advised that FIBA received regular reports from TDH, however, the MIIT was not privy to these reports.

The MIIT was in regular contact with TDH throughout the investigation asking questions about the safeguarding of players and raising any issues that were of concern to the MIIT. This included the

exchange of more than 40 emails between the MIIT and TDH over a five-week period.<sup>31</sup> For example, the MIIT sent email correspondence on 4 August 2021 to **[Name Redacted]**. The MIIT asked about travel arrangements and if the girls are satisfied with the coaching and support staff accompanying them on their trip to the U-19 Women’s World Championship in Hungary and U-16 Women’s African Championship in Cairo. This question was posed because the MIIT was told that the technical team are in effect coach Bamba’s technical team, who are all his supporters. **[Name Redacted]** told the MIIT: *“Regarding the satisfaction of the players with the coaching staff, at this stage we have not had any feedback from the selected girls indicating that they were not satisfied.”* **[Name Redacted]** also confirmed that **[Redacted]** Witness #64 was with the U-19 players. **[Remaining paragraph Redacted]**.

On 9 August 2021 **[Name Redacted]** sent another email to one of the MIIT investigators with information that she had received from Witness #64 about feedback the players had about their coaching staff. An excerpt of the email from **[Name Redacted]** :

*“...guilty words are said towards the 4 players who denounced the facts, words taken up by players of the team since the beginning of the trip. Indeed, the coaches and players make them feel like the current situation (organizational difficulties and delay in Hungary) is linked to the suspension of certain members of the FMBB and therefore because they denounced the facts. Nevertheless, the relations between the players have improved with the **[Redacted]**.”*

This account is corroborated by Witness #26 and Witness #36 who told investigators the technical staff make them feel like it was their fault for arriving late because of the suspension of President Maiga, and the Coach Bamba allegations.

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<sup>31</sup> See Exhibit FIBA287: Summary of Email Correspondence Between MIIT and TDH.

**[Name Redacted]** closed the email by saying: *“In addition, we think it would be appropriate for you to talk to **[Redacted]**.”*

The MIIT also raised concerns in the 4 August 2021 email to **[Name Redacted]** about last minute changes to the roster of the U-19 team based on evidence **[Redacted]**. The player **[Name Redacted]**, **[Redacted]**, was left behind in Mali. **[Name Redacted]** providing the following response on 6 August 2021:

*“Concerning the players who were not selected, the safeguard and psychosocial support system in place is still effective. They will continue to benefit from a close follow-up and psychosocial activities even if they are back in their respective clubs. They are all in close contact with our team members. The individual support (especially legal and psychological) is proposed within the framework of the case management process (this requires solicitation and agreement of the player to open a case file).”*

#### **4.4 Witness #64 Interview**

On 10 August 2021 the MIIT interviewed Witness #64 who **[Redacted]**. According to Witness #64: *“We work a lot on this because we have a specific area on sexual and reproductive health and therefore we speak about sexual and reproductive health, we address issues of sexual abuse, sexual violence, gender-based violence. **[Sentence Redacted]**.”*

Witness #64 began her **[Redacted]** duties with the team at the hotel in Bamako prior to departure for the tournament in Hungary. According to Witness #64, the girls on the team were reassured when they knew she was going with them to Hungary because **[Redacted]**. Witness #64 had never

been in contact with any of the alleged victims prior to [Redacted]. Her priority was to develop their trust and confidence in her.

Witness #64 twice visited the U-19 team at their hotel in Bamako where she: *“held sessions on the rights of young girls, on sexual abuse.”* This included topics such as what is not permitted, what is right and wrong and what should be accepted or not, and how they can protect themselves and each other. En route to their final destination in Hungary, the team travelled to Accra. Once in Accra, the information became more expansive. This included role games (i.e. assigning different roles to players) to teach the players techniques to protect themselves in different situations. For example, some were given the role of a parent, victim, witness, and FMBB President to act out various scenarios. For each scenario, Witness #64 engaged the players in discussion about questions including: *“How would you act? What would make you feel safe? What should be done? And what are the repercussions?”*

According to Witness #64, the girls have no understanding of their rights, how to protect themselves and who should protect them: *“(…) and for most of them it was the first time to even hear about the rights of young girls in matters of sexual abuse. They don’t know about it, because they are in sports or at school, and generally at school this subject is not addressed; in training, this subject is not addressed. As a result, they had no notion of their rights and how they should be protected.”*

The girls created a WhatsApp group in Hungary and integrated Witness #64 into the group. The first discussions on the WhatsApp group were: *“first to thank me and for the others to better understand the situation because they were starting to feel guilty (...)”*.

According to Witness #64: *“when I arrived in Accra, the first thing I noticed was the isolation of Witness #26 and Witness #25...So I wanted to talk to Witness #26 and after that she brought Witness #25 in, we talked and she felt guilty about everything that was going on.”* The players were made to feel guilty about the travel delay to the tournament because of the suspension of President Maiga: *“so they felt a certain guilt as if it was their fault.”* Witness #64 reassured the girls that it was not their fault and: *“I really made them feel comfortable and that’s when they started telling me everything.”*

According to Witness #64, based on the conversations with the girls and trust that she developed: *“I think all the girls have somehow been abused.”* Some of the players on the team shared personal examples of abuse by Coach Bamba, and others feared speaking out because of retribution by their parents or losing their spot on the team. *“They have concrete cases (of abuse), especially amongst themselves. But they say these people refuse to speak.”* Witness #64 agreed to facilitate interviews with some of the girls and the MIIT, with the assurances of the MIIT that the girls would not be identified in any reporting unless they agreed to do so.

The MIIT interviewer asked Witness #64 if she herself felt safe. She replied that, at first, she did not feel safe in Accra and **[Remaining sentence Redacted]**. They did not want her to talk to the girls

alone. She explained to them her role; it was not to spy on them but rather her mission was to make the girls feel safe. After that, they allowed her to conduct the exercises as described. Initially, she was only permitted to have 5-10 minutes with the girls alone and had to reserve the time. Subsequently, she was well received and with the girls all the time. Again, this should be considered as part of the campaign of intimidation conducted by FMBB officials against not only the girls, but FIBA provided resources.

Witness #64 was asked by the MIIT if the girls feel safe in Hungary and if the new coach is different. She responded to investigators: *“I discussed it with them, they tell me that in terms of sexual abuse or other things they are reassured because the coaches do not even leave their room. That they don’t even come out. And that he does not come to their room. And they are not like BAMBA who, after their match made the girls come to his room.”*

#### **4.5 Republic of Mali Government and Legal System**

The Ministry of Youth and Sports issued a press release on 27 July 2021 indicating their interest in following the: *“so-call ‘Harassment’ case in the Malian basketball scene.”* In the release, they made the following statement pertaining to victims and safety:

*“The Government of Mali, in accordance with its international commitments, will ensure strict compliance with the international legal instruments ratified by Mali in this field. The Government will stand by all the victims to find out the truth and reassures national and international community that it will do its utmost to ensure that our children are in a peaceful environment for their full development in sport and commits the leaders of the Malian*

*Basketball Federation to do everything possible to ensure that Mali's image is preserved in this matter in the best interests of Malian sport."*

The press release was issued after the indictment and arrest of Coach Bamba on 26 July 2020 by the High Court of Commune IV of the District of Bamako. The letter goes on to say that the Minister of Youth and Sports, Mr. Mossa AG Attayer: *"takes note of this judicial procedure and hopes that all the light will be shed on all the files relating to allegations of sexual harassment of certain Malian women basketball players."* When contacted to speak to the MIIT, Mr. Attayer refused to do so without the consent and involvement of the FMBB.

Mali has a civil law system based on the French civil law model and is influenced by customary law. The Constitution of Mali (1992)<sup>32</sup> is limited in its commitment to protection for women and girls. It does not explicitly reference violence against women and girls. Article 1 states that: *"the human person shall be sacred and inviolable"* and that: *"[e]very individual shall have the right to life, liberty, security and integrity of his person."* Article 3 further states that: *"no one shall be submitted to torture, nor to inhuman, cruel, degrading or humiliating treatment or brutality."*

The Mali criminal justice system is primarily based on the French (Napoleonic) Penal and Criminal Procedures Code. The criminal proceedings are "inquisitorial". There are two kinds of investigations, the "standard" criminal investigation led by the Public Prosecutor and the judicial inquiry under the supervision of an Investigative magistrate. The Public Prosecutor can refer the case to an

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<sup>32</sup> Mali's Constitution of (1992) online: <[https://www.constituteproject.org/constitution/Mali\\_1992.pdf?lang=en.>](https://www.constituteproject.org/constitution/Mali_1992.pdf?lang=en.>) [Last Accessed 26 August 2021].

investigation judge after which an Investigation Judge (instead of going through the police or the Public Prosecutor's Office) will conduct a judicial inquiry.<sup>33</sup> This is the process to which HRW and the Bock letter refer. What is going on is judicial inquiry under the supervision of the Investigative Judge. There are limitations to this customary system in Mali including: *"The judiciary is overburdened, and slow justice delivery discourages the population from seeking formal legal remedies. Especially in the north, the criminal justice system remains dysfunctional and lacks public trust."*<sup>34</sup>

The circumstances involving the court appearance of players as well as Coach Bamba and his legal representative Jean-Claude Sidibé drew the ire of HRW and others. The Magistrate is the one who barred other participants from the particular stage of the inquiry. It is not a matter about which FIBA, the MIIT or FMBB could have intervened to provide legal representation or other supports including TDH. The Investigative Magistrate may have conducted that part of his work without regard to good safeguarding practises such as not having a victim describe events in front of the alleged perpetrator. The conduct of the legal proceeding is a matter for the Mali Minister of Justice, not FIBA or FMBB.

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<sup>33</sup> Article 113 Mali Code of Criminal Procedure.

<sup>34</sup> International Development Law Organisation, "JOURNEYS TO JUSTICE: EXPLORING CUSTOMARY SYSTEMS IN MALI", 20 April 2018. Online < <https://www.idlo.int/news/highlights/journeys-justice-exploring-customary-systems-mali> > [Last Accessed: 26 August 2021].

## **Chapter 5: The Independent Investigation and Evidence Gathered**

### **5.1 Introduction**

On 10 June 2021 Professor Richard McLaren received an email from FIBA Secretary General Andreas Zagklis, instructing him to proceed with an investigation and provide an independent report to FIBA. The email included the original message of 10 June 2021 from the NYT to FIBA containing the allegations of sexual harassment and abuse. Upon receipt of the email from the FIBA Secretary General, Professor McLaren immediately commenced the investigation by assembling his investigation team including FIBA contracted investigation company Harod Associates Ltd., collectively referred to as the MIIT. The MIIT then developed their overall investigation plan. Following the start of the independent investigation, the NYT published an article on allegations of sexual abuse in Mali basketball on 13 June 2021.

The evidence gathered in the independent investigation highlights many shortcomings and failures of the FMBB to properly administer the sport of basketball in Mali, including an absence of safeguarding mechanisms that continues to put athletes, in particular young women, at risk. Additionally, the independent investigation also reports on the allegations levelled against individuals as claimed by the NYT and HRW, and reports on several new allegations that were revealed through additional evidence developed by the MIIT.

## **5.2 The Investigation Team**

The investigation team was led by Professor Richard McLaren, FIBA Integrity Officer and supported by Martin Dubbey, Chief Investigator. A total of ten investigators and staff comprised the MIIT. This included investigators with significant law-enforcement experience and expertise in trauma-informed approaches to interviewing victims of sexual abuse and harassment including female members of the team. Several investigators on the team are fluent in French and have had work experience on the ground in Mali, and other west African nations.

Initial interviews were conducted with independent journalist Romain Molina and HRW to develop a preliminary understanding of their sources, processes, and veracity of the allegations contained in the NYT articles and correspondence to FIBA.

## **5.3 Summary of Investigation Plan and Evidence Gathering Process**

Witnesses and alleged victims were assured of the independent nature of the investigation as well as confidentiality and anonymity when requested with victim support provided where possible. This approach ensured that all stakeholders could trust the investigation team and have confidence in its unbiased findings through a balanced independent assessment of established facts. Such an approach was vital given the lack of trust in the FMBB, as expressed by many witnesses and alleged victims reported in public media concerning past allegations and purported investigations of abuse and harassment related to the FMBB. Several witnesses interviewed by the MIIT described alleged

victims who were afraid to come forward because they feared for their safety or felt intimidated. The MIIT took steps were possible for the victims to be protected from retaliation.

The key components of the MIIT's operational plan started with the development of an overall Tactical Plan including: (1) Intelligence Requirements; (2) Threat Assessment and Working Strategy ("TAWS"); (3) Legal, Policy, and Procedures; and (4) Contingencies. The Intelligence Requirements consisted of mapping out the various elements described in the NYT Article and HRW's correspondence, including research on all individuals identified in the article; both witnesses and those against whom the allegations were made. The MIIT created its overall investigative framework based on the NYT article, the NYT correspondence to FIBA, the HRW correspondence to FIBA, and its own lines of enquiry including the identification of new witnesses, suspects and victims. The framework included evidence gathering, conducting key witness interviews, and the implementation of various other investigative protocols involving the collection, processing, assessment, and corroboration of evidence from various sources. The investigation framework was a fluid and iterative process; it was updated as and when new lines of enquiry were added to the investigation.

The Operational Plan also included the creation of a secure case handling and management system for the deposit of all communications and evidence concerning the investigation. Most of the interviews were conducted via Zoom videoconference or WhatsApp video and were recorded by the MIIT with the knowledge and express consent of the witness(es). This was a necessity forced on

the MIIT by the Covid Pandemic. At no stage during the investigation were foreign nationals allowed to visit Mali under the imposed travel restrictions.

The Threat Assessment and Working Strategy was intended to minimise risk to those victims who were identified. Because of the allegations of victim and witness intimidation made by HRW and as described to the MIIT from other witnesses, the threat assessment strategies were critical. Throughout the investigation, the MIIT liaised with FIBA and other non-governmental organisations including Terre Des Hommes to ensure appropriate safeguarding measures were in place and in accordance with the FIBA's Internal Regulations.

A legislative review of applicable rules, regulations, policies and procedures included the MIIT's review and consideration of current FIBA General Statutes, FIBA Internal Regulations, as well as past versions of policies that were in force at the time of the alleged harassment and abuse. Particular attention was paid to policies concerning the Code of Conduct, Code of Ethics and Integrity, and Safeguarding Articles that are currently in force. The MIIT also reviewed FMBB policies obtained during the investigation including their Charte Ethique de la FMBB ("EC"), Règlements Intérieur de la FMBB (Internal Regulations or "IR"), Statuts 2021 (Statutes), and Règlements Generaux 2021 (General Regulations). The MIIT reviewed certain FMBB employment contracts obtained from the FMBB further to request for the same during the investigation. The MIIT also studied other legislative resources including Malian laws on sexual abuse and procedures related to the alleged sexual offences as well as laws applicable in countries where the some of the abuse is alleged to have taken place.

## 5.4 Witnesses

Initially, the MIIT conducted interviews with key individuals and organisations publicly identified in the NYT article to better understand and assess the scope of the allegations and the purported culture of sexual abuse and other forms of harassment within the FMBB . Independent journalist Romain Molina was the source of many of the allegations contained in the NYT article. HRW was cooperative in providing some information, introductions to the sources of the information was not forthcoming except through the close working relationship they had with Mr. Molina.

Human Rights Watch commented on the reluctance of victims and witnesses to come forward because of a lack of trust in the system, cultural/religious factors, shame, fear of retaliation, and lack of appropriate support systems for alleged victims of abuse. According to Human Rights Watch: *“The reason no one is giving you information is that no one has put in place trauma care for these survivors.”* Furthermore, Human Rights Watch commented that: *“we were also under specific instructions from the players and their families not to get in touch with FIBA because of the role that Hamane Niang has played in covering up abuses in the past.”* It should be clear that whilst this is a serious allegation it is not evidence. This was not substantiated by HRW during the investigation.

It was also clear that getting direct witnesses to speak to the MIIT investigation team would be difficult because of many longstanding cultural and structural issues related to reporting abuse within the FMBB. Nonetheless, with careful relationship building, the MIIT was able to overcome some of these difficulties. Although many witnesses and victims refused to speak to the MIIT for the

above noted reasons, ultimately, witnesses came forward including ones that were never part of HRW's forays in the FMBB's sexual abuse allegations, as far as is known. In an interview, Acting FMBB President Traoré admitted having knowledge of efforts being made to silence witnesses by bribes or intimidation, adding that he did not know who had issued these threats.

Witnesses included current and former FMBB coaches, senior FMBB officials, members of the FMBB Discipline and Legal Commissions, Malian Ministers of Sports, alleged player victims, and other player witnesses. Both the author of the NYT articles and HRW were witnesses but provided the MIIT with very limited access to certain evidence in their possession.

In total, the MIIT conducting interviews with 31 individuals. Twenty-two (22) potential witnesses were contacted by the MIIT for the purposes of conducting interviews but refused to participate. Additional victims and witnesses were sought out by the MIIT's collaborators on the ground in Mali but they too were met with resistance and refusal.

## **5.5 Bamako Mali Police**

On 12 June 2021 Professor Richard McLaren sent a letter written in French to the Chief of Police Bamako Mali to inform the Police of the scope of the independent investigation, offer the cooperation of the MIIT, and: *"to be certain that I do not impinge upon your investigation of the same line of enquiry although our respect mandates will be different."* No answer was provided by the Bamako Police and they made no efforts to contact the MIIT further to receipt of the letter.

[Name Redacted] told investigators that the Commissaire du 5e arrondissement (Police) called him/her and they told the police everything that happened regarding the sexual abuse of [Redacted]. [Name Redacted] advised that the police opened an investigation on 28 June 2021.

## 5.6 FMBB Interference and Obstruction of the Independent Investigation

The MIIT faced significant barriers to conducting the investigation, some features of which also constitute FIBA policy violations. The independent investigation was obstructed including: (1) Various activities that constitute witness and victim intimidation; for example, a press release issued by the FMBB questioning the “*morality of the witnesses*” and a public protest campaign against the FIBA investigation called “Je Suis Harouna Maiga” whose purpose was to support the provisionally suspended FMBB President Maiga all the while disregarding the victims; (2) Evasive, contradictory, and untruthful testimony by certain officials of the FMBB, including President Maiga who lied to investigators; (3) Interference by the FMBB through initiating their own internal investigation; and, (4) Failure to provide certain documents requested by the MIIT.

In a letter dated 5 July 2021 Mr. Jaime Lamboy, FIBA Head of Legal Affairs, at the request of the Integrity Officer, sent a letter to Secretary General Maiga concerning FMBB’s commencing their own investigation: “*including interviews of witnesses and alleged victims which could potentially interfere or obstruct the Integrity Officer’s enquiry.*” Mr. Lamboy instructs the Secretary General as follows:

*“Be advised that the Integrity Officer is an independent third party that will conduct the investigation at arm’s length. In consequence, we hereby instruct the FMBB to immediately refrain and stop any action that can in any way interfere with the FIBA Integrity Officer investigation. Any such actions on the part of the FMBB as well as from any person working*

*for or related to the FMBB will be considered in violation of article 1-98 and 1-100 of the FIBA Internal Regulations.”*

In response to this notification by Mr. Lamboy, the FMBB annulled their commission that had been established to undertake their own internal investigation.

In a letter dated 8 August 2021, Professor Richard McLaren sent a letter to Secretary General Maiga which raised concerns about the 25 July 2021 press release issued by the FMBB concerning the suspension of President Maiga, as well as the intimidation of the “Je Suis Harouna Maiga” campaign. In the letter Professor McLaren comments that: *“the tone of this press release and campaign is most unhelpful to my investigation. It is a source of intimidation and interference to current or potential witnesses.”*<sup>35</sup>. The actions of FMBB officials are an egregious interference with the independent investigation.

Professor McLaren requested several documents from Secretary General Maiga including audited financial statements of the FMBB dating from 2013, and copies of personnel files for Amadou Ario Maiga, Yankee, and Coach Bamba. Secretary General Maiga replied by email on 12 August 2021, with the following response: *“Thank you for the feedback I am awaiting the opinion of the Bureau of the Federation which must authorize me. You have the Secretary General that I am only executes the decisions of the Bureau. I hope to have a quick response to give you a feedback.”* [sic].

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<sup>35</sup> McLaren, Richard, Letter to Secretary General Maiga, 8 August, 2021.

On 16 August 2021 Professor McLaren responded to Secretary General Maiga as follows:

*“Dear Secretary General, In reply to me on the 12 of August I remind you that it is the duty of the FMBB to co-operate fully with FIBA and its Integrity Officer. See Book 1 of the FIBA regulations. Please ensure that all the previously requested documents are submitted immediately to me. They are required prior to the investigation team interviewing you and other members of the FMBB.”*

On 18 August 2021 Professor McLaren received a letter from Acting President Traoré wherein he responds to the request for audited financial statements and personnel files for Mr. Amadou Ario Maiga, Yankee, and Coach Bamba. In this letter he indicates that the FMBB will not provide the financial statements, saying: *“The statutes of the FMBB determine the recipients of the said report (financial statements) which are the General Assembly and the National Council of the Malienne Basketball Federation.”* He goes on to say that: *“Regarding the information documents on the three executives the federal office does not record any personal document of the candidates for the various positions within it since the texts do not require them.”*

Acting President Traoré confirmed to investigators that the FMBB performs an audit of its financial statements every year which also is a statutory obligation under the FMBB statutes. However, Secretary General Maiga was unaware of such practices and obligations as he informed the MIIT during his second interview on 30 August 2021. He claimed not to be aware of Article 9 of the FIBA General Statutes that requires audited financial statements. Furthermore, the MIIT notes that FIBA President Hamane Niang<sup>36</sup> told investigators that the FMBB did not perform audits of its financial

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<sup>36</sup> Hamane Niang was Chair of the FIBA Africa Finance Committee from 2 August 2001 through 1 August 2014.

statements during his tenure as FMBB President according to generally accepted accounting principles, and said that no records of such statements exist.

The MIIT notes that Article 9.8 of the FIBA General Statutes (2021) requires that: *“The accounts of national member federations must be audited in accordance with international accounting standards each year by an independent external auditor”*. The MIIT further notes that Article 24 of the FMBB’s Rules of Procedures<sup>37</sup> requires as obligations of the National Technical Director that he/she: *“Keeps a file of all the coaches and leaders of the associations and centres”* and *“Develops and submits to the federal office the status of the coach.”* Furthermore, FMBB Statutes, Article 35: Missions of the Federal Office includes: *“ensure the Preservation of archives”*; *“enforce FIBA regulations”*; and *“ensure compliance with these Articles of Agreement and all FMBB regulations.”* As such, the 18 August 2021 letter from Acting President Traoré is evidence of the FMBB’s breach of its own regulatory provisions.

The FMBB, Secretary General Maiga, President Maiga and Acting President Traoré also are in violation of FIBA Articles 1-99, 1-100, and 1-101 that requires them to: *“fully cooperate with FIBA (...), including by cooperating with any investigation regarding a possible violation.”* This includes: *“the duty to comply with requests for information from FIBA. Basketball Parties shall not obstruct or delay any investigation that may be carried out by FIBA (...).”*<sup>38</sup> These regulatory requirements were

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<sup>37</sup> Malian Basketball Federation “Règlements Interieur” Rules of Procedure, General Assembly Bamako, 08-09 December 2021.

<sup>38</sup> FIBA Internal Regulations, Book 1 General Provisions, 26 March 2021.

made clear to Secretary General Maiga in Mr. Lamboy's 5 July 2021 letter and Professor McLaren's 16 August 2021 email.

According to Witness #35, officials in the FMBB are telling everyone that the FIBA investigation will go nowhere. The MIIT is informed by the same witness and Witness #36 that all members of the FMBB have been given gag orders and a storyline to follow.

The MIIT contacted the Malian Minister of Sport, Mr. Mossa Attayer, on 2 September who refused to speak to investigators by phone or video. He told the MIIT that the only way he could communicate with the investigation was in writing through the proper channels, which he indicated would be the FMBB.

## **5.7 Victim and Witness Intimidation by Mali Basketball Parties**

Women and girls victimised through their experiences with FMBB have been reluctant to report abuse according to several witnesses interviewed by the MIIT. The vulnerability of women and girls in Mali, feelings of shame and guilt as a cultural taboo to admit abuse, and perceived opportunities for a better life through basketball, have combined as a powerful silencer to report abuse. Threats of retribution including losing a coveted roster spot on a team are cited in this Report. This intimidation has been exacerbated and reinforced during the independent investigation as demonstrated by efforts to discredit witnesses, victims and the independent investigation itself.

President Maiga himself acknowledged to the MIIT that: *“there are people all over trying to discredit victims.”*

Witness #35, [Redacted], said that an allegation of sexual abuse is a complex issue and that many girls talk about this in the basketball community but never come forward with complaints because it is very taboo and people are ashamed to discuss it. There is no known system to do so privately or anonymously. There is no way to prevent those who speak out from being retaliated against. They believe that ability to continue to play basketball is contingent on them staying silent and acquiescing to what is asked from them. This witness further claims that there is pressure on the parents and girls currently because of the power and influence of Jean-Claude Sidibé. He claims that: *“...the girls are afraid. They know [Name Redacted] is a target and they don’t want to be targets.”* He further claims that the girls who need to talk to the MIIT are scared for their jobs within the FMBB and the girls are not willing to lose their spot on the National Team: *“because of problems of sex.”*

Witness #67 said that it is very hard for women to talk about sex in Mali, and almost impossible for young girls to talk about it because it is a taboo subject, parental pressure is huge, and it could compromise opportunities available through basketball including earning money.

Witness #35 claims the FMBB is already lobbying, by way of ex-players namely Hamchetou Maiga (Sister of FMBB President Maiga), to go and talk to the girls who are involved<sup>39</sup>. It appears that FMBB officials are using her to try and convince the girls not to talk because the image of FIBA President Niang and of Malian basketball are at risk. On 16 June 2021 Hamchetou Maiga posted a message to a website and associated Facebook page called Basket Mali. In this post, Hamchetou Maiga condemns abuse against young girls and provides strong statements of support for President Niang. Although President Niang did not speak directly to the press, many allies have provided what appears to be a coordinated campaign in his support. This was to be expected as President Niang is widely regarded as the doyen of basketball in Mali and the singular reason for its development and success. In an interview President Niang stated that since the publication of the NYT article, he has distanced himself from the FMBB and claims no knowledge of all these matters.

Witness #44 told investigators that anyone who complains or denounces people is labelled a revolutionary. The witness questioned: *“How is it possible that Jean-Claude Sidibé can have such an influence on the FMBB?”* When speaking of current FMBB President Maiga and Secretary General Maiga he opined that they are only interested in protecting their own interests. *“There is no way we can make them leave. The President and Secretary General and Jean-Claude Sidibé, they buy the District votes to ensure their election to and power within the FMBB.”* The witness further describes Jean-Claude Sidibé as *“quite powerful”* who can make people disappear or imprison them. Sidibé,

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<sup>39</sup> Basket Mali.com “Former Malian internationale Hamchétoú Maiga reacts to allegations of sexual harassment in Malian basketball”, 16 June 2021, online: <<https://www.basketmali.com/en/former-malian-internationale-hamchetou-maiga-reacts-to-allegations-of-sexual-harassment-in-malian-basketball/>> [Last accessed 8 September 2021].

the former FMBB President, continues to yield influence within the FMBB according to the MIIT's evidence.

During an interview with **[Name Redacted]**, the MIIT was told that Jean-Claude Sidibé had contacted **[Name Redacted]** on several occasions, **[Redacted]**<sup>40</sup>. These were unsolicited phone calls and, although no threats were given out, they are unnerving because Sidibé is contacting people when he has no role to do so. **[Name Redacted]** also told investigators that there are a few girls who have been threatened not to speak.

The public comments by representatives of FMBB, including an official press release disparaging the morality of witnesses is clearly intimidating and violates all the principles of safeguarding and ethical behavior. The suspension of President Maiga served to: *"create a lot of pressure on everyone"* according to Witness #18 interviewed by the MIIT who also suggested that the campaign for Maiga was an example of: *"how the system works and why it's so hard for the girls to speak and be free."* Witness #18 also told investigators that: *"some of the players believe they will be punished because they talked or may talk (...)"*.

In 2012, when players created an association of basketball players to try to denounce some of the injustices they felt were being perpetuated within the FMBB, the FMBB threatened all players not to take part according to Witness #5. The investigators were told that players were threatened that they would not be selected for the national team if they joined the association. They all got scared

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<sup>40</sup> **[Redacted]**

and the association folded. Although there is currently an association of basketball players, claimed to be supported by President Maiga, the association is ineffective and has no power other than to address issues of a more technical nature, such as repairing basketball courts.

Mamadou Famanta, FMBB Third Vice-President and President of the Investigation Commission created after the publication of the NYT article, cast doubt on all the allegations by telling investigators that there are girls who are not playing or getting a lot of playing time, suggesting that they were engaging in allegations to get back at the FMBB. He also said there are others who are unhappy that they are not involved in the FMBB and it is a good way for them to defame the FMBB. Such a suggestion, that complaints of sexual harassment might have been made by players in retaliation for not being selected to a team or as part of a vendetta against the FMBB, was also made by Secretary General Maiga, President Maiga, and Amadou Samaké, President of the FMBB Legal Commission when they were interviewed.

The MIIT findings totally refute this suggestion by Mr. Famanta, and all other members of the FMBB. Very credible and explicit references to sexual activity and approaches by Coach Bamba were made to the MIIT by several witnesses. This suggestion is evidence of an inadequate investigation conducted by the FMBB Discipline Commission. Despite the difficulties of interviewing vulnerable witnesses the MIIT were able to collect evidence of explicit sexual abuse. Neither the Commission created to investigate the allegations in June 2021, nor the grossly inadequate investigation conducted by Ms. Aïssata Guinto in December 2020, were effective. Although both veiled under the auspice of *'seeking necessary proof in order to make any conclusions in a country of law'*, the

progress and outcome of both investigations rather appear to have served a purpose, to cover-up the institutionalised nature of the abuse.

Although several FMBB leaders have cast doubt on the allegations and threats against witnesses, Acting President Traoré confirmed to investigators that he heard that certain people threatened or bribed the girls not to speak with the MIIT. However, he claimed not to know who made these threats.

## **5.8 Harassment and Abuse within Mali and FMBB**

### 5.8.1 Applicable Definitions of Harassment and Abuse

The FMBB and its Basketball Parties are subject to the FIBA Safeguarding Articles outlined in the FIBA Internal Regulations Code of Conduct and Integrity, notably Chapter 5 Articles 1-127 to 1-130 which define harassment and abuse as follows:

*“130. All forms of harassment, vilification, and abuse by Basketball Parties, be it physical, professional or sexual, and inflicting, facilitating or tolerating and non-accidental physical or mental injuries are strictly prohibited. In particular, without limitation, Basketball Parties shall not engage in the following: (...)”.*

The list of behaviors defined in Chapter 5 Article 1-130 include bullying, hazing, homophobia, neglect, negligence, physical abuse, psychological abuse, sexual abuse, and sexual harassment.

Thus, the infliction of any of these forms of harassment on a basketball party is a violation of FIBA's policy.

### 5.8.2 Human Rights within Mali

An examination of the culture within FMBB would be incomplete without an understanding of the political environment within the country of Mali, particularly as it relates to women and girls. Mali is politically unstable and, according to HRW:

*"In August 2020, a political crisis resulted in the toppling of Mali's government in a military coup. The country's human rights situation remains fragile amid ongoing abuses by armed Islamist groups, ethnically allied militias, and government security forces. Civilians continue to absorb the heavy cost of violence from all sides, with the near-total impunity for abuses exacerbating an already precarious humanitarian situation."*<sup>41</sup>

This environment has led to violent protests, communal violence, killings, and abuses by armed Islamic groups as well as State security forces according to HRW. In fact, on the night of 24 May 2021 a coup d'état began in Mali led by the Malian army. This unstable environment presented an additional level of complexity for the investigation team and a heightened concern for the safety and welfare of victims and witnesses associated with the allegations of abuse and harassment.

Women's and girls' rights, gender-based violence, economic inequality, and access to education are significant issues in Francophone Africa. Child marriage, for example, is a prevalent practice that

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<sup>41</sup> Human Rights Watch, "Mali", online: <<https://www.hrw.org/africa/mali> > [Last accessed 26 August 2021].

occurs: *“at the intersection of sexism, poverty, and weak legal redress.”*<sup>42</sup> In 2017, UNICEF identified Mali as having one of the highest child marriage rates. Plan International, who has been operating in Mali since 1976, note that: *“there are significant barriers that stand in the way of children, especially girls, exercising their rights in the country.”*<sup>43</sup>

The legal age of consent in Mali is 14 years which is by world standards very young. In Mali, over half of all girls are married by the age of 18. According to UNESCO, female literacy rates lag behind men, and less than one third of women can read a simple sentence compared to 80% of men.<sup>44</sup> UNESCO suggests that providing greater awareness of the inequalities that exist for women: *“is the first step to dismantling disadvantage and discrimination.”*

The NYT article of 13 June 2021 noted that in 2019 Mali ranked 158<sup>th</sup> out of 162 nations in terms of gender inequality, according to the United Nations Development Program. The article states that sexual violence against women is widespread and postulates that half to three-quarters or more of Malian women have experienced rape and sex slavery, forced marriage and customary genital mutilation.

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<sup>42</sup> Human Rights Watch, “New Pledges to End Child Marriage in Francophone Africa”, online: < <https://www.hrw.org/news/2021/07/14/new-pledges-end-child-marriage-francophone-africa> > [Last Accessed: 26 August 2021].

<sup>43</sup> Plan International, “Mali”, online: < <https://plan-international.org/mali> > [Last Accessed: 26 August 2021].

<sup>44</sup> UNESCO, “Mali: Gender equality is an investment for the future”, online: < <http://www.iiep.unesco.org/en/mali-gender-equality-investment-future-13688> > [Last Accessed: 31 August 2021].

Many witnesses indicated that for young girls, basketball is viewed as a way out of poverty and perhaps even a way out of Mali. Many are promised spots on the team, shoes, apparel and other opportunities in exchange for sexual favours. With no support system or education as to what is right or wrong, they often feel like they have no other options but to acquiesce and then stay quiet about it. For these young girls, basketball is often their only way out, and the perpetrators are more than aware of the same and prey on them accordingly.

### 5.8.3 Culture of Harassment and Abuse within FMBB

Many witnesses interviewed by the MIIT described a systemic culture of abuse towards young girls and women players within the FMBB, thereby breaching the FIBA Code of Conduct definitions provided herein. The most common forms of harassment and abuse revealed to the MIIT include bullying, neglect, negligence, psychological abuse, sexual abuse, and sexual harassment.

Witness #4, **[Redacted]**, describes a systemic culture of abuse that has lasted a long time including mental, moral, physical and sexual abuse and that those unwilling to submit would risk not being selected for the team. According to Witness #4, who did not personally witness any sexual abuse, coaches were very discreet and well hidden. Although Witness #4 was not sexually abused or harassed, she described being: *“treated very badly”* causing her to *“cry day and night.”* Witness #27 also gave evidence of being upset and crying when trying to avoid Coach Bamba. These are examples of psychological abuse, defined as follows in Article 1-130(g) of the FIBA Code of Conduct and Integrity Safeguarding Articles:

*“130. g. Psychological abuse. Psychological abuse means any treatment that may diminish the sense of identity, dignity or self-worth, and may include without limitation any unwelcome act such as confinement, isolation, verbal assault, humiliation, or infantilization.”*

Witness #4 claims that coaches would have sexual relations with certain girls on the team promising to select them to the team further to their submission; those unwilling to submit would risk not being selected for the team. She claims to be aware of between 12 and 15 victims. Some victims had sexual relations with Coach Bamba on the promise of being selected, only to not make the team in the end.

Other witnesses similarly described a culture of abuse towards women and girls including Witness #5 who said that abuse of power and sexual abuse is normalised. Witness #17, [Redacted], said that they had heard of sexual issues with the team in 2007. Amadou Samaké, President of the FMBB Legal and Discipline Committee, told investigators that sexual harassment exists, but many girls have sex because they seek money because they are so poor. He suggested that the MIIT needs to understand that young girls have a hard time fighting back against their material needs and that many of the alleged sexual acts could be consensual. According to Mr. Samaké: *“there are rumours here and there of sexual abuse and relations...but it is quite hard to mobilise the truth and to find the evidence.”*

President Maiga, in an audio conversation with [Redacted] obtained as evidence by the MIIT acknowledges the existence of abuse towards girls and young women within Mali basketball. Witness # [Redacted] says to Maiga, *“I have been called and told everything about this problem*

(sexual abuse). *This problem existed for a very long time and I have some witnesses as well, on such matters.*” President Maiga’s reply: *“Such practices exist for a very long time. It is pretty much the system in Mali but all these problems cannot be tackled so quickly as you think.”* President Maiga’s acknowledgement of *“these problems”* combined with his inability to implement safeguarding procedures is a failure of his leadership and his duty of care to protect athletes.

## **5.9 Key Allegations & Evidence**

The following provides a summary of evidence gathered by the MIIT concerning the suspended persons, sets out the allegations against the President of FIBA, and summarises other evidence gathered during the investigation.

### **(i) Suspended Individuals and FIBA President Niang**

#### **5.9.1 Amadou Bamba (“Coach Bamba”)**

The MIIT has the direct witness interview testimony of three FMBB female basketball players who told investigators that they were sexually abused by Coach Bamba and others who allege other forms of harassment. The MIIT knows the identity of the players, but their names and identifying information have been kept confidential in this Report at the victims’ request. Therefore, the evidence is consolidated and summarised to protect and respect the confidentiality of those

individuals who came forward to the MIIT. Certain portions of evidence have been redacted out of an abundance of caution by the MIIT to exclude information that could reasonably be used to identify the confidential witness. A non-redacted Report will be provided to the FIBA Disciplinary Commission.

In this section one victim, **[Redacted]**. This was done because in an Emergency Complaint for Expedited Relief submitted to FIBA by William Bock III, Esq. of Kroger, Gardis & Regas LLP (“KGR”) on 18 August 2021 she is referred to and outed to many individuals in what has effectively become a public document. This action by Mr. Bock to effectively ‘out’ a witness in these circumstances defies proper safeguarding principles. This does not help the individual, but only increases her risks of retaliation and could be a threat to her security. The Complaint names **[Name Redacted]** as a client of KGR. The Complaint names 34 respondents including the FIBA Secretary General, FIBA Central Board Members, and FIBA Executive Committee and Ethics Panel Members; copied parties include the FIBA Integrity Officer, the IOC, HRW, Sports & Rights Alliance, and the FIBA Secretary General. The Complaint also provides as an exhibit the 12 June 2021 correspondence from HRW to the FIBA Secretary General that describes the alleged sexual abuse of three different players, with the intimation that one of these players is **[Name Redacted]** .

The interviews of these players included graphic details of sexual abuse by Coach Bamba as well as other forms of harassment, psychological abuse, and retaliation. The MIIT has corroborating evidence from other witnesses about certain acts of sexual abuse and other harassment by Coach Bamba.

Victim [Name Redacted]

[Five paragraphs Redacted]

Witness #36

Witness #36 was [Redacted]. She told investigators that rumours were everywhere in Mali basketball about Coach Bamba's harassment and abuse of players. She also was warned about him by her "big sisters", the older basketball players who had already gone through the system. The advice they were given by their big sisters was to be careful around Bamba and to wear multiple layers of underwear. During the competition, Bamba called some players on the team including Witness #36 and told them to come to his room one by one to give them advice on basketball. On a specific occasion, Witness #36 was called in to see him. [Remaining paragraph redacted].

[Paragraph Redacted].

Witness #36 was the first to raise Coach Bamba's behavior with the rest of the team. After this was raised, Witness #24 said that she had been afraid to disclose Coach Bamba's behavior. On another occasion, he had also forced Witness #24 to the point where he [Redacted], and she refused and left according to Witness #36.

After these attempts by Coach Bamba, the next project was to prepare the team for the 2020 AfroBasket in Cairo. **[Remaining paragraph Redacted]**.

**[Sentence Redacted]**. The MIIT points out that one of the motivations of Witness #36 to come forward was that she saw that another player was being subjected to the same treatment and ordeal that she had gone through with Coach Bamba years before when she was first selected to the team. The MIIT finds that there was a grooming pattern for all players under Coach Bamba, especially the new ones on the team. A player who refused his advances would be made an example of by keeping them off the team selection roster.

After being selected, Witness #36 started training with the team and told investigators that Coach Bamba did something: **[Remaining paragraph Redacted]**.

**[Redacted]** Witness #36 **[Redacted]** raised specific concerns about Coach Bamba as follows:

**[Paragraph Redacted]**

Witness #36 intimates that President Maiga may have had knowledge of her harassment in **[Remaining sentence Redacted]**.

Since Coach Bamba's suspension, the rest of the coaching staff have remained, including his assistant Abdullay Maiga and they are being **[Redacted]**. She describes herself **[Redacted]** who have

also targeted **[Name Redacted]** with: “mental harassment”, attempting to de-motivate them from playing basketball.

#### Witness #24

Witness #24 first met Bamba **[Redacted]**. She had been warned against him from her “big sisters” in basketball telling her to be careful around him that he would try to touch her and say things that are out of place. Witness #24 said that her harassment and sexual abuse at the hands of Coach Bamba started in **[Redacted]** when after a match, as per his usual modus operandi, Coach Bamba invited players to go into his room one by one under the guise of giving basketball pointers. This corroborates the testimony of Witness #36, among others.

According to Witness #24, this is where the abuse started. Once in Bamba’s room, he **[Remaining paragraph Redacted]**.

Witness #24 described another event during a team hotel stay **[Redacted]**. **[Sentence Redacted]**. Bamba went to her room every night and threatened retribution related to her role and spot on the team if she did not let him in. This is consistent with the pattern of grooming identified by the MIIT.

Witness #24 let Bamba into her room on many occasions over three years because of the threats of retribution. He tried to **[Sentence Redacted]**. She was scared and started yelling, and he continued

with his threats of retaliation. [Sentence Redacted]. The MIIT asked if any of the acts were consenting, to which she replied: “no.”

#### Witness #71

Witness #71 was a member of the [Redacted] coached by Bamba. She told investigators about Coach Bamba’s attempts to sleep with girls on the team, retaliation against players, and other forms of harassment and abuse. According to Witness #71, Coach Bamba would yell at girls and: *“try and touch our breasts and ass”* right in front of everyone at practice. They could not tell him to stop because if they did he would tell them not to come back to practice.

Witness #71 said that Coach Bamba tried, but never touched her. She had [Remaining sentence Redacted]. He would not allow them to play, and even benched them at the World Cup because they kept avoiding his advances.

Many girls said that he tried to sleep with them. They talked about it themselves but never complained to anyone because they were too scared. *“Coach Bamba held all the power and is the one who selected the teams”*. She is aware of at least one player, whom she identified, to whom Coach Bamba promised that she would make the team if she had relations with him but that further to doing so, he did not select her.

Witness #71 described that she felt weak, and she could do nothing to help her teammates; she would encourage them to speak to their parents, but they were so scared of him

### Other Witness Evidence

Mr. Allal Cisse, a former official with FMBB, said that in the case of Coach Bamba everyone knows he abuses the girls. *“The members of the Federation, the Clubs, the players, everyone is aware of Bamba.”* In his first year in 2016, Mr. Cisse heard that Coach Bamba was abusing a player and alleges that the player said that she was not selected for the team because she refused to sleep with him.

The circumstances around this disclosure are described as follows:

**[Paragraph Redacted]**

It is alleged than an incident between Bamba and this player took place **[Redacted]**, but no one believed her and it was not reported to the FMBB. It is also alleged by Witness #24 that the FMBB was aware of this alleged incident.

### Audio Recordings

The MIIT has evidence including audio recordings of conversations between a victim and another witness. In a call on **[Date Redacted]**, the victim says the following:

*“What I remember one day, at the end of a game coming from the field (Coach) tells me that he will find me in my room. He tells me not to go to bed with someone else (teammates). Not to run away from him that if I go to bed, not to put a bra on and he will find me in my room and we will have a chat.”*

The victim says: *“From Bamako he harassed me until we returned from Afrobasket (Egypt).”* She goes on to say that in Mali Bamba did the same thing to her, telling her that he would kick her out

of the selection because: *“I refused to go in his shower (because I refused his invitation to his room).”*

The victim called a friend on the team to tell her: *“that the coach is about to kick me out of the squad because I wouldn’t agree to follow him to his room. I said that if he doesn’t select me it doesn’t matter because my dignity prevails over everything.”*

### 5.9.2 Cheick Oumar Sissoko aka “Yankee” Allegations

#### Sexual Abuse at the 1997 World Cup in Brazil

According to Witness #44 two female players were both allegedly raped by Yankee in 1997 during the World Cup in Brazil. One of the players was allegedly targeted by Yankee and he got her selected to the World Cup team. She had tonsillitis one evening and did not go to eat with the rest of the team. When Yankee realised she was in her room alone, he allegedly gained access to the room and raped her. The player who is alleged to be the victim of this rape refused an interview by the MIIT.

The other player Yankee was alleged to have raped in Brazil was a girl **[Redacted]**. Witness #44 alleges that during a Bamako radio broadcast hosted by Sy Solomane and Baba Cissouma that aired in 1997, the player’s grandmother went on air to discuss these allegations. **[Sentence Redacted]**.

The player who is alleged to be the victim of this rape refused an interview by the MIIT.

FIBA President Niang acknowledged in an interview with the MIIT that he and Yankee: *“have a longstanding relationship as teammates and friends.”* However, President Niang denied any knowledge of allegations of sexual abuse by Yankee at the 1997 World Cup in Brazil. He reiterated this point to investigators: *“I will say it again, I was never questioned. I never heard, either from him (Yankee) or from anybody else, about sexual abuse committed by Oumar Sissoko.”*

The MIIT was unable to substantiate either allegation due to the refusal and reticence of witnesses to accept our requests for interviews. However, given the institutionalised tolerance of abuse and the sincerity of witnesses, the MIIT finds that the incidents may well have occurred.

#### Other Allegations of Abuse

Witness #4 was coached by Yankee [Redacted]. According to this witness, Yankee harassed her physically but not sexually. She claims that Yankee had relationships with players on the senior women’s team and wanted to have sex with them, making promises of a place on the team in return for sleeping with him. The MIIT did not interview any alleged victims of Yankee to corroborate this allegation of sexual abuse. Some of the alleged victims are now unprepared to complain as they are now married and scared according to this witness.

## Suspension of Cheick Oumar Sissoko aka “Yankee”

Several witnesses were asked about the alleged “suspension” of Yankee. He had been relieved of his duties on two different occasions, in 2003 and in 2013 which does not appear to be in dispute. However, some witnesses suggest this was for job related/team performance reasons rather than for allegations of sexual abuse.

According to Witness #17, the Mali Minister of Sport at the time (Mamadou Diarra) suspended Yankee after girls made complaints of sexual abuse. These three girls (identified by Witness #17 to investigators) were the best players on the team and they were not complaining because they were not being played or selected. All three refused to speak to the MIIT when contacted.

The MIIT interviewed Mr. Mamadou Gaoussou Diarra who was the Mali Minister of Sport during the time of Yankee’s alleged 2013 suspension. When asked if he was the person who suspended Yankee, Mr. Diarra said that he does not recall; however: *“he might have signed a paper on this”*, but it is highly unlikely. Mr. Diarra claims that he was not aware of the rumours of sexual abuse in the FMBB, and the first he heard about the suspension of Yankee was in the NYT article.

Amadou Ario Maiga who knows Yankee and says they get along well, confirmed to the MIIT that he thinks Yankee was suspended in 2013. When asked why he suggested it was because of his lack of performance. He claims that he knows nothing about a suspension related to sexual abuse

allegations. Amadou Ario Maiga cannot say if the sexual abuse is true or not, but he does not think the allegations are true based on knowing Yankee.

President Niang told the MIIT about the circumstances surrounding Yankee's removal as coach in 2003. *"From 2001 to 2002 or 2003<sup>45</sup>, I was president of the FMBB, and Yankee had been relieved of his duties as coach for the national team. He was replaced by Kanouté as national coach."* Niang explained the reason for Yankee's replacement as follows:

*"For the 2002 campaign in Tunisia, we didn't win. Is that the reason why he was replaced? That's the game. When you're a coach, you come and go. Sometimes you get ditched. Did it happen because of the results we got? As far as I know, I wasn't told...I was in Tunisia myself. Nobody told me that something happened in Tunisia concerning Oumar Sissoko. He kept working after Tunisia. But if they decided to replace him with someone else...I wasn't the president back then, if you think about it. I didn't have experience yet in that position. I wasn't the one making those kinds of decisions."*

The MIIT notes that FIBA President Niang was, in fact, the FMBB president *"back then"* in 2002 and 2003 when Yankee was relieved of his coaching duties. Then, in 2007 Yankee was appointed as coach for the U-19 team and Niang moved on to be the Minister of Sport for Mali.

President Niang told investigators that Yankee: *"kept his position as coach until 2013. Just before, or at least several months before Afrobasket in Maputo, in Mozambique, he was replaced by a French coach, Sylvain Lautié (...) I wasn't working there anymore, so I can't tell you how Sylvain became coach to replace Oumar Sissoko."*

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<sup>45</sup> Hamane Niang was President of FMBB from October 1999 to October 2007.

Secretary General Maiga told investigators that he has no knowledge of the alleged abuse by Yankee as described herein, or of any suspension and reinstatement. The lack of personnel files kept by the FMBB as described in this Report is a significant concern to the MIIT and a factor that feeds into the allegations of cover-ups described by many witnesses.

#### MIIT Interview of Cheick Oumar Sissoko aka “Yankee”

Yankee denied all allegations of abuse in an interview with the MIIT on 2 September. He said that he was never suspended for sexual abuse, but he stopped coaching in 2012 after the FMBB told him they no longer needed his services. After that he did not coach again. He told investigators that he did read the NYT article that it shocked him and he has never engaged in the alleged behavior. He named certain alleged victims and claimed that everything Witness #4 says is false. He claimed no knowledge of the Brazil 1997 World Cup allegations that were made on Malian radio broadcasts, including those made by an alleged victim’s grandmother.

He was asked if he ever went into the hotel rooms of players. Yankee told investigators that he would often go to their rooms and knock on the door to get them ready for games, or other team functions but he never went further in. He claims that he treated the girls like his daughters and took the girls under his wing. He claims that he: *“did not insult them and never said anything with sexual undertones.”*

### 5.9.3 Amadou Ario Maiga Allegations

It is alleged in the NYT that: *“Niang did bar for life a vice president of Mali’s basketball federation accused of sexually abusing female players in 2003 or 2004”* according to Serigne Thiam, former president of Mali’s premier basketball league. The Vice-President was identified to the MIIT as being Amadou Ario Maiga who had apparently regained a prominent position by 2014. Mr. Amadou Ario Maiga however asserts that he did not return to the FMBB in any capacity after 2010. At the time of reinstatement Hamane Niang was no longer President of the FMBB or its Sports Minister, although he does hold the position of Honorary President <sup>46</sup>.

FIBA President Niang firmly denied suspending Amadou Ario Maiga. According to Niang: *“No, no. I can’t understand how I suspended him for life in 2003 or 2004, according to the New York Times letter, and that he was still a member of the Bureau in 2006 (...) I rest my case; I was never questioned concerning sexual abuse and sexual harassment allegations.”* President Niang said that Amadou Ario Maiga was not a coach; he was a member of the Bureau and the President of the Committee on Statutes and Rules, and legal aspects. According to Niang: *“But when he (Amadou Ario Maiga) came back in 2013, I didn’t have any influence (...)”*.

President Maiga was asked if the FMBB holds any information or documentary evidence regarding the alleged previous suspension of Amadou Ario Maiga, to which he responded: *“No. Not at all.”* He added that he has no immoral doubts about him and the everyone in Mali knows him. According to

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<sup>46</sup> See FIBA 096.

Secretary General Maiga the allegations are false. As far as President Maiga knows, Amadou Ario Maiga was never suspended, and he has no knowledge of any suspension.<sup>47</sup>

Witness #**[Redacted]** told a story to investigators that he heard concerning Amadou Ario Maiga and a female player. The rumour is that a trainer went to Amadou Ario Maiga's room and the door was not locked so he pushed the door and found Amadou Ario Maiga with a female player. It is alleged that after this incident, President Niang took Amadou Ario Maiga out of his post in 2008 during a counsel meeting. At the time, Hamane Niang was Minister of Sport.

Amadou Ario Maiga was interviewed by the MIIT on 31 August 2021. He claims that he was never suspended, not by the FMBB or the Minister of Sport. He confirms that he was Président Commission statuts et règlements 2003-2010 but that in 2010 he was not nominated for re-election, and that this decision was made by the President.<sup>48</sup>

Amadou Ario Maiga confirmed that he heard the rumours about his alleged abuse of a player from a journalist upon returning from Niger to Bamako. He said that he was with his wife during the trip. He said that he knew the alleged victim as a player in 2008-2009 and that he never had relations with her.

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<sup>47</sup> Note: According to Harouna Maiga, he is not related to Amadou Ario Maiga in any way.

<sup>48</sup> In 2010 the FMBB President was Abdallah Mahamane Haidar who is deceased.

In evidence provided by President Niang through his lawyer, the MIIT was advised of the following information about Amadou Ario Maiga:

*“Mr Hario MAIGA<sup>1</sup> [sic] held a position within the Fédération Malienne de Basketball (“FMBB”) for two terms: - From 17-18 November 2001 until 21-22 January 2006; - From 21-22 January 2006 until 3 October 2007.<sup>2</sup> We hereby enclose two pictures of the FMBB for the two above-mentioned terms, on which appears Mr MAIGA. It is therefore difficult to conceive that Mr MAIGA would have been suspended from the FMBB in 2003 or 2004 (as contended by the New York Times). In 2014, Mr NIANG had no official function within the FMBB<sup>3</sup> and within the Mali government.<sup>4</sup> Therefore, he cannot comment on the fact that Mr MAIGA would have held a prominent position in the FMBB as from that date and, if so, in which circumstances. Please note that Mr NIANG has never been informed that sexual assaults had been committed by Mr MAIGA.”*

*“<sup>1</sup> The full official name of Mr Hario MAIGA is Mr Amadou Ario MAIGA.”*

*“<sup>2</sup> Mr NIANG was replaced by his Vice-President, Mr Abdallah HAIDARA on 3 October 2007, i.e. when Mr NIANG was appointed as member of the Government of Mali. Therefore, he cannot provide any information as to Mr Hario MAIGA’s [sic] tenure after 3 October 2007.”*

*“<sup>3</sup> As stated above, Mr NIANG was replaced on 3 October 2007, i.e. when he was appointed as member of the Government of Mali. Therefore, as from this date, Mr NIANG could have no involvement in the FMBB’s internal affairs.*

*“<sup>4</sup> On 22 March 2012, there was a coup in Mali and the whole government was replaced.”*

#### 5.9.4 Harouna Maiga

Mr. Harouna Maiga, President of FMBB, was interviewed on 1 July by the MIIT. He was asked several questions about his role, basketball culture in Mali, safeguarding, and his knowledge of specific events and allegations raised by investigators. He was asked what regulations, policies and procedures for safeguarding have been developed and enacted by FMBB pertaining to the Article 1-

155 requirement of the FIBA Internal Regulations. He told investigators that they were not aware of Article 1-155 and had no knowledge of these rules.

President Maiga was asked several questions by the MIIT about his knowledge of any allegations or FMBB investigations of sexual abuse over the past 20 years, including any information that might be held by the FMBB about such behavior. He told investigators that he had never seen or received any complaints about abuse or sexual aggression from anyone or any victim during his tenure as President or Treasurer, except for an investigation in 2020. He told investigators that the very first investigation of a sexual harassment matter was in 2020, asserting that he: *“could not even believe that this could happen.”*

President Maiga explained that an athlete came with a man to speak to him in 2019 when preparing for the World Cup in the Philippines. He claims it was about: *“some girl”* who was almost kicked off the team because she was not practicing. In response to this complaint, President Maiga said he called the coach (Bamba) to better understand the situation and advised the coach to: *“sanction her”* for a few days and then reintegrate her. He also told investigators that after the 2020 FIBA U-18 Women’s African Championship, the FMBB started an investigation.

President Maiga was asked by investigators if the FMBB holds any information regarding Cheick Oumar Sissoko (“Yankee”) and his alleged involvement in the sexual abuse of young female basketball players and the circumstances around his alleged removal from his role as coach. He responded that he has no concerns and has heard nothing negative about Yankee. He said that

Yankee is someone who he knows and frequents regularly. President Maiga was surprised to hear about this and told investigators that it was the first time he heard of alleged sexual abuse by Yankee. He claims that no one has confirmed any such allegations about Yankee, and it would surprise him if this was true.

He was also asked if the FMBB holds any information about the alleged investigation in 2018 against Amadou Bamba, the Head Coach of the U-18/19 Girls National Team where he is alleged to have sexually assaulted three players. President Maiga responded that he has no negative information about anything related to Bamba and there is nothing in the FMBB archives, dating back to when he was Treasurer.

Despite these denials, the MIIT has evidence that President Maiga was alerted to harassment involving Coach Bamba by multiple witnesses. Witness **[Redacted]** raising questions about the behavior of Bamba. **[Sentence Redacted]**:

*“**[Redacted]** there is something that happened between **[Name Redacted]** and Coach Bamba. We the players are aware of everything.”*

**[Sentence Redacted]**.

When asked about the possibility of coaches sleeping with girls on the team, he responded by telling investigators that this is not something he can say or wants to say because it is not his place. He told investigators that no one has even come forward to say that she has been abused and no one has

even said: *"I was kicked off the team because the coach wanted to sleep with me."* However, several player witnesses described exactly this threat to investigators.

President Maiga said that he: *"is sad"* in response to the MIIT's question about allegations in the NYT of girls being abused. He added that he has an open-door policy to help all his athletes and all women athletes. He goes on to say that he would have wished that the complaints would have been brought to them so that they could have dealt with it in due time. In reference to the current allegations and the media attention facing FMBB, the President appeared concerned with the reputation of the FMBB by suggesting that it looks like the FMBB is not protecting their own, not protecting the youth and that it makes the FMBB look bad. According to President Maiga: *"This is what hurts. It is like we did nothing."*

He refutes the NYT times account that a girl came to talk to him about allegations, characterising this as: *"completely false."* He claims that: *"we must recognize that we are a Federation that just came out of elections, it is possible that this was a ruse to destabilize new people in the Federation."* He suggested that the blogger who is making claims is in Senegal and: *"is well known as someone who seeks to denigrate Mali"* and that Senegal looks to denigrate Mali. Several witnesses and other evidence contradict President Maiga's assertion to investigators that he had no prior knowledge of sexual abuse and harassment complaints, including direct evidence from Witness #5, Witness #27, Witness #34, and Witness #36.

President Maiga informed investigators that complaints and reports are usually written and that: *“this is how it should be.”* The MIIT’s evidence suggests the contrary including witness accounts of abuse told to the President and others that were not documented and, in fact, covered up. When a report was written, as was the case with the FMBB Investigation further to the 2020 U-18 Afrobasket in Cairo, the report was both incomplete and inadequate.

President Maiga acknowledged in his interview with the MIIT that there are people all over trying to discredit victims and that many do not have the courage to speak out. Attempts to discredit witnesses is corroborated by evidence presented in this Report.<sup>49</sup> He said that players could go to speak to the Association des Basketteurs Maliens and that the Association would be responsible to hear these women and receive their complaints. The MIIT is not aware of any FMBB policy document or direction provided to players about reporting processes involving the Association des Basketteurs Maliens as described by the President. He also told investigators that they (players) don’t feel protected by them (Association of Players), but they have many other ways by which they could make complaints, including FMBB commissions.

#### Incident on date of interview

Whilst he was being interviewed, the MIIT was provided intelligence that five girls had been summoned to the FMBB federal bureau offices and interviewed by the Investigative Commission. President Maiga conveniently denied knowledge of this and of any efforts to interrogate possible

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<sup>49</sup> See Chapter 5.7 Victim and Witness Intimidation

victims or witnesses. He was asked to provide to the MIIT a list of anyone the Investigative Commission was intending to speak to, which he did the following day.

**[Paragraph Redacted]**

**[Name Redacted]** Call with President Maiga

The MIIT has evidence that President Maiga lied to investigators about his prior knowledge of sexual abuse. **[Sentence Redacted]**. He indicated that on **[Redacted]** he had spoken to President Maiga and stressed to him that they needed to find a way to stop the abuse and find a solution to the systemic issue of sexual abuse within FMBB. This is supported by the transcript of an audio recording of a conversation between **[Redacted]**. In this conversation, **[Name Redacted]** tells the President that: *"I heard something today and I think it is worth explaining to you, if there is a solution."* President Maiga responds by asking: *"What is it?"* **[Name Redacted]** goes on to explain that: *"It is a case about [a female basketball player Name Redacted] and Amadou Bamba (...)"*. The President goes on further in the call to say: *"I know that such a practice exists in the Basket-ball for very long time. I have some sisters who have been there at some point."*

President Maiga also recounts the following conversation to **[Name Redacted]**: *"(...) I have heard from a lady who was in the group, called me last weekend from the USA, alerted me that the other (player) left the team, and I asked her why? (...)"*. He further explains that: *"The lady told me that, she knows the reason why the other lady is out of the team. If it is like that, I prefer that you come*

*in person and see me. When children complain like that, I have to take actions on it and punish the perpetrator (...)*".

In addition to the evidence of the audio recording, **[Name Redacted]** informed the MIIT that a meeting was organised with **[Redacted]** and President Maiga, who listened but then did nothing. President Maiga told the MIIT that the NYT allegations about a girl who came to talk to him about allegations: *"is completely false"* and: *"never happened."*

These denials by President Maiga are illustrative of the theme heard throughout the investigation by the MIIT about cover-ups by FMBB officials regarding abusive behavior within the FMBB. This evidence was used as one of the reasons for FIBA's provisional suspension of President Maiga.

#### Suspension of President Harouna Maiga

Following a verbal report by the Integrity Officer, President Maiga was provisionally suspended on 23 July 2021 through notification by letter from Mr. Jaime Lamboy, Head of Legal Affairs, FIBA. The explanation for President Maiga's suspension is provided as follows:

*"During the process of the investigation, the Integrity Officer has gathered specific information concerning allegations against you related to: a) prior knowledge of claims of sexual abuse against female players; b) failure to have taken appropriate steps and actions to deal with the allegations arising against persons employed by or affiliated to the FMBB; c) actions directed to interfere with the course of the current independent investigation; d) supporting actions likely to lead to the intimidation of witnesses."*

The MIIT's evidence shows that President Maiga knew about previous allegations of sexual abuse through accounts provided by **[Name Redacted]**, conflicting testimony of Secretary General Maiga, and a transcript of a WhatsApp conversation between **[Redacted]** as described herein.

#### 5.9.5 Hamane Niang

There is no evidence nor does any organisation make allegations that FIBA President Hamane Niang was directly involved in sexual abuse or misconduct with any Malian female basketball players at any time. No player or parent makes such allegations as far as the MIIT could determine. The reputational damage caused by the allegations that have been made has been personally hurtful. They have created a difficult time for him following his decision to step aside from his duties as FIBA President while the Integrity Office investigation was underway. That investigation is now concluded with the transmittal of this Report to the Secretary General of FIBA. Based on the information provided below both Hamane Niang ("HN") and FIBA must determine whether the period of voluntary stepping aside ought to be at an end.

The allegation in the NYT that HN ignored assaults on women for 12 years from 1999 to 2011 during which he was first, President of FMBB and second, Minister of Sport for Mali cannot be substantiated with direct evidence. In any event, upon HN's departure from the FMBB presidency because of his appointment as the Minister of Sport on 3 October 2007 onwards he had no direct relationship or responsibility with the FMBB. The MIIT concludes that the NYT allegations of ignoring

assaults on basketball players in the period of HN's presidency or Ministry of Sport appointment is not capable of being substantiated. The testimony of Secretary General Maiga of FMBB, is that the FMBB never received any complaints or allegations related to sexual abuse at the time of Hamane Niang's Presidency of the FMBB. He told investigators that: *"if girls spoke about being abused, we deplore it – but basketball in Mali does not deserve this."* The period of HN's appointment as Minister of Sport, in the view of the MIIT, cannot be used to make the allegation of ignoring assaults on female basketball players. But, even if it were there is no direct evidence that the MIIT could obtain that would suggest that he ignored assaults on basketball players.

Turning to the nightclub incident and allegations of the NYT, HN said he was not there and has no knowledge of it. shared with investigators that HN and Yankee are friends. The allegations themselves are vague alleging that this nightclub incident likely occurred in 2006 or 2007. However, based on descriptions of the date described by victims the MIIT was able to identify the likely date to be after 30 September 2007 and to within or around 3 October 2007. Part of the reason for the party would have been the Mail win over arch-rivals Senegal and the promotion of HN to Minister of Sport. In his interview, HN denied ever having gone to a party with girls, but this event should have been in his memory given the double celebratory purpose.

The MIIT has no information as to the identity of the players in the NYT article who allege their breasts and buttocks were groped by Yankee while President Niang allegedly laughed at what was going on; no victims of this groping have come forward to substantiate these events. The MIIT has the direct witness account of a female player who saw the incident but was not the victim herself. HN states that he never went to a nightclub belonging to Jean-Claud Sidibé or anyone else where

the allegations are said to have occurred. He explained that he did host female basketball players at his home in the presence of his wife and family when they won trophies; but never went to a nightclub with basketball players.

The MIIT concludes that there is no verifiable evidence of the allegations which lack specificity as to the dates, the location, other witnesses, and who the victims are. The MIIT research indicates that Mali beat Senegal in the Senior FIBA Africa Championships for Women enabling them to qualify for the Olympic Games in Beijing. The last day of the competition was 30 September 2007. The team would have likely returned to Mali on 1 October 2007. The last day as President of FMBB for HN was 2 October 2007 after which he took up the position as Minister of Sport. If there was direct evidence it would have to establish that the incident occurred in Mali on the 1st or 2nd of October 2007. However, there is no such direct evidence as to the date, time of day and club location and name being provided by a credible witness. The MIIT finds these allegations to be unsubstantiated and without foundation as to when they occurred.

A basketball player has come forward to allege that coach Yankee while not sexually abusing her did treat her badly criticizing her and discouraging her to the point of causing her to cry day and night. Allegations in the NYT suggest that HN was present on occasion when such remarks were made by the coach. HN denies this assertion. These allegations lack specificity as to the time and place and direct evidence. MIIT was unable to substantiate any of the allegations.

The William Bock III letter and the NYT and HRW submissions to FIBA all make the point that the FIBA President is responsible and knew or ought to have known that all their various allegations

were going on. They assert he ought, at the very least, to know about the allegations and failed to act. These various parties' submissions are not evidence. The principle of knowing or ought to have known is applicable to matters that went on during Niang's Presidency of FMBB by virtue of the office he then held. However, there is no direct evidence of sexual abuse going on against FMBB female basketball players during the Presidency of HN.

The MIIT is of the view that this principle does not pertain to HN's status as Minister of Sport from 2007 through to 2011. What a government minister of a sovereign nation is supposed to do; or is directed to do, is not a matter for which FIBA or FMBB can impose. Mr. Niang in his interview states he was not following events within FMBB while he was Minister of Sport. FIBA cannot hold him responsible for not dealing with the Mali FMBB when he is the Minister of a sovereign state.

HN was President of the Finance Committee of FIBA Africa from 2 August 2001 until 1 August 2014. He also was an Honorary Member of FMBB throughout even after his election to the Presidency of FIBA Africa on 1 August 2014. Throughout the same time period from August 2001 until 29 August 2014 he was a member of the Finance Committee of FIBA World and on the 29th of August 2014 to the 29th of August 2019 he was the 1st Vice-President of FIBA World.

HN was elected to the FIBA Presidency, from which he has presently voluntarily stepped aside, on 29 August 2019. Article 14.2.1 of the FIBA General Statutes provides that a president is elected for a single term of 4 years and must come from: *"a national member federation within the respective Zone (...)"* which in HN's case was Africa for the 4-year term 2019 through 2023. The Statutes do not require that a person be a current member within a national member federation from the zone. But

even if that were the requirement the fact of being an Honorary Member of FMBB would likely satisfy the eligibility requirement. Furthermore, Article 14.2.2 of the FIBA General Statutes indicates that while President a person is not to hold office within a Zone or a national member federation. HN meets the eligibility requirements and by the statutes is not to hold an office, therefore, play no role with a national member federation.

The MIIT concludes that any principle of knowing or ought to know of being aware of what is going on is an inappropriate principle during his Presidency of FIBA when viewed from the perspective of the manner in which the President is to be disassociated with a Zone or member federation. For these reasons, there can be no credence in the NYT and HRW articles that HN ought to have known of what was happening at FMBB and taken action to prevent it.

The period after he returns to basketball activities in 2017 and forward he was not in a position to impose sanctions on FMBB as a member of the continental group and then later in various roles with FIBA World body including being President.

HN denied any sexual harassment or sexual abuse towards anyone during the time that he was in office with the FMBB as either Treasurer or President. He told the MIIT that: *“I confirm that until 10 June, until the letter from the New York Times, I did not know, I had not been called upon and...I have not been confronted by any parent, any player, any trainer (...).”* He goes on to say: *“I will say it again. Before June 10, when the letter or email from the New York Times reached the FIBA, I had never been questioned about abuse committed by Sissoko, either directly or remotely.”* *“I never heard, either from him or from anybody else, about sexual abuse committed by Oumar Sissoko.”* HN

further denied ever seeing Cheick Oumar Sissoko behave inappropriately with female players in any context, including the NYT account of attending a nightclub and observing him grope players. *“As far as I know, I guarantee you, once again, that I never went to a nightclub with the female basketball players. I may have hosted some teams at my home when we won trophies (...). You can ask my wife and my kids and everybody can show you pictures and testify about that. They respect me a lot. But going to a nightclub with the basketball players, I tell you that I never did that.”* HN also told investigators that he was never contacted by the New York Times journalist, commenting that: *“I was never contacted by him or by organisations. Nobody (...).”*

## **(ii) Other Allegations and Evidence**

### 5.9.6 Harassment Concerns Reported to Assistant Coach Diallou

Ms. Fanta Diallou, an assistant coach with the U-18/19 Women’s National Team told investigators that four of the players came to see her right before the start of the FIBA 2020 U-18 Women’s Championship in Cairo and told her about concerns the players were having with Coach Bamba. Witness #25 told investigators that before leaving for Cairo while at the Sofitel she went to see Coach Diallou and told her a lot of what was going on and that the coach: *“did nothing.”* Witness #25 said that every night Coach Bamba would call her late at night and that she did not know why, and it didn’t feel right according to Assistant Coach Diallou’s own account. Witness #36 told investigators that she and three other players went to see the only woman who was charged with their protection, Assistant Coach Diallou, and explained about Coach Bamba’s behavior. Witness

#36 also told investigators that Assistant Coach Diallou witnessed another troubling incident during practice and threatened to report Coach Bamba. According to Witness #36, Assistant Coach Diallou told the players that she was new to the coaching staff. She said that they should always stay in a group and not give anyone opportunity to confront them alone but said that she would do something with the members of the FMBB: *“but up until today, she has done nothing.”*

Witness #36 said that she spoke to Assistant Coach Diallou privately in the player’s room. She explained that she had been targeted in 2019 by Coach Bamba and told Assistant Coach Diallou that Witness #27 had been targeted by Coach Bamba. According to Witness #36, Assistant Coach Diallou did not give advice other than to pay careful attention to Coach Bamba’s behavior. She also told Witness #36 that President Maiga had told her to sleep close to the girls, intimating that the President may have been aware of Coach Bamba’s behavior.

Assistant Coach Diallou did not report these complaints to anyone because she wanted to avoid disruption to the team. After this disclosure by the players, they never came to see her again regarding issues with Coach Bamba. She added that she has no problems about Coach Bamba’s relationship with: *“the girls”* and had never heard of abuse rumours about Bamba or other coaches. Furthermore, she did not ask Coach Bamba why he was calling the girls at night. She had just been named the Assistant Coach and was just beginning with the team.

Instead of reporting the what the players told her, Assistant Coach Diallou said that she advised the girls of how to deal with the issues raised. For example, she said: *“When he tries to call at this time*

*of night, do not take the phone and do not answer your hotel door.”* She also told the girls to always stay in groups of three and avoid putting themselves in a compromising position.

Other witnesses interviewed by the MIIT said that some of the players on the team: *“told everything”* to Assistant Coach Diallou concerning the sexual abuse incident of **[Name Redacted]** as described herein, and asked Assistant Coach Diallou to protect the younger girls on the team from Coach Bamba.

In an interview with Assistant Coach Diallou, she admitted having done nothing about reporting these allegations, because she wanted to avoid disrupting the team. She said that: *“the girls are always with me, I would know if anything was happening”*. She said that after this complaint, they never came to see her again. Not only is this a disciplinary offence and a gross derogation of her duty it further highlights the conduct of covering up rather than dealing with allegations.

#### 5.9.7 MIIT Interviews with FMBB Secretary General Seydou Maiga

The MIIT’s 2 July 2021 interview with Secretary General Maiga is provided here as it contains evidence concerning reports and knowledge of abuse, including evidence that contradicts President Maiga’s account of his personal knowledge of abuse. Investigators asked Secretary General Maiga if President Maiga talked to him on the phone after the MIIT’s interview of the President the previous day. He confirmed that he spoke to him twice, on July 1 and on July 2, after the President’s

interview with the MIIT. Secretary General Maiga claims that they spoke about how long the interview is likely to take.

### FMBB Investigation

Secretary General Maiga claims that after the 2020 U-18 Women’s Championship in Cairo: *“we heard rumours; it wasn’t a girl who came to us directly”*. It was based on these rumours that the FMBB created the Discipline Commission and decided to add clauses to the coaches’ contracts. It was President Maiga who informed them of a rumour that the coach had – or would have had – sexual relations with the girls according to Secretary General Maiga. He referenced the 15 December 2020 ordinary meeting of the FMBB when the Discipline Commission was asked to take up the file and told investigators that his knowledge is limited to her report.

### Complaints of Abuse

Secretary General Maiga was asked if the FMBB had carried out any investigations into allegations of sexual assault. He replied that other than the two in December 2020 and now: *“no.”* He also was asked if FMBB are aware of any female basketball players who reported any allegations of sexual assault elsewhere other than the FMBB, to which he responded: *“no.”* However, in response to the investigator’s question *“Did anyone or any family make a complaint?”* he said that **[Redacted]** went to speak to the President at his home following an in-person conversation the Secretary General had with **[Name Redacted]**. Secretary General Maiga acknowledged that **[Name Redacted]** told him

about the sexual abuse of [Name Redacted] by Coach Bamba which the Secretary General referred to as rumours. According to him, [Name Redacted] complaint was all verbal and the President did nothing because [Name Redacted] did not bring a complaint to the police. According to [Name Redacted], Secretary General Maiga told [Name Redacted] that lying about these things to make the team is not a good thing. The MIIT notes several inconsistencies in Secretary General Maiga's account. For example, in the second interview conducted with the Secretary General, he told investigators that he did not call Bamba directly and it was the FMBB that called Bamba. He claims not to remember how [Remaining sentence Redacted].

Secretary General Maiga was asked if the FMBB holds any information about any past sexual allegations of any of the Malian basketball coaches, support staff, or officials. He responded by saying that in his 20 years of working at the FMBB he has never heard of it, but added he is not saying that it does not happen. He went on to add that: *"it's very delicate"* and very hard for the FMBB to deal with rumours. He said that: *"they (the girls) are all protected"* and that if the girls were not happy they would not have such results. However, Secretary General Maiga did not provide any specific examples or strategies concerning how the girls are protected.

### Second Interview

Secretary General Maiga was interviewed again on 30 August 2021 and was asked about abuse allegations and suspension of Yankee to which he claims no knowledge. He was further asked by investigators about the "Je Suis Harouna Maiga" campaign and involvement in other social media

groups.<sup>50</sup> He claimed to not be involved in either. He admits to going on social media like everyone else and to being hurt by some of the allegations brought against the FMBB. He claims that he has had little or no contact with President Maiga since his suspension and that no one from the FMBB federal bureau is involved in the campaign as: *“they have given their word to FIBA”*. He may have been included in the WhatsApp group supporting President Maiga but he claims he never posted any messages to the same.

Secretary General Maiga provided contradictory statements about his knowledge of sexual abuse rumours between the first and second interviews. In the first interview he stated that he had heard rumours of sexual abuse in December 2020 and January 2021 following the Afrobasket in Cairo which resulted in the first inquiry by the FMBB commission. However, in the second interview he claimed that he had not heard of any rumours or complaints of sexual harassment or abuse until **[Name Redacted]** came to the FMBB offices to complain in March 2021.

He was asked about the MIIT’s requests for audited financial statements and referred investigators to the 18 August 2021 correspondence provided by Acting President Traoré. He told investigators that the FMBB statutes are closed on this and the only people who can receive financials are those named in their statutes. He claimed not to be aware of Article 9 of the FIBA General Statutes that requires audited financial statements. The MIIT notes that failure to provide audited financial

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<sup>50</sup> See Chapter 5.9.11 Je Suis Harouna Maiga Campaign.

statements as requested by investigators is a breach of FIBA General Statutes Article 9 and Articles 1-99, 1-100, 1-101 of the FIBA Internal Regulations.

Secretary General Maiga reiterated to investigators that in the last 20 years he has never heard of any rumours of sexual abuse except for the **[Redacted]** that resulted in the first commission to investigate. He continued to assert that no one ever made a complaint and so there is nothing they can do without information.

#### 5.9.8 FMBB Investigation 2020 FIBA U-18 Women’s African (“Afrobasket”) Championship

President Maiga informed the MIIT that after the 2020 FIBA U-18 Women’s African Championship<sup>51</sup> FMBB started an investigation led by Ms. Aïssata Guinto<sup>52</sup>, identified in minutes of the FMBB as Chairman of the Discipline Commission. Secretary General Maiga said that the Discipline Commission was created to have their version of events, to inform FIBA, and to: “*better understand*” but that he was not in contact with the Commission. The Discipline Commission was comprised of Ms. Guinto; Mr. Amadou Samaké, President of the FMBB Legal and Disciplinary Committee; Mr. Mamadou Famanta, 3<sup>rd</sup> Vice-President of the FMBB and President of the internal investigation committee; and Ms. Fanta Diallou, Assistant Coach of the U-18/19 Women’s National Team. The MIIT interviewed all four members of the Discipline Commission.

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<sup>51</sup> Note: The 2020 FIBA U-18 Women’s African Championship was held 2-9 December in Cairo, Egypt.

<sup>52</sup> Ms. Aïssata Guinto also is identified by other names in Exhibits including by the last name “Kinto”.

Mr. Samaké told investigators that in his eight years he never had to deal with abuse or harassment cases, although he conceded to investigators that he has heard rumours about the sexual abuse rumours on social media regarding Coach Bamba.

The FMBB's initial investigation was preceded by and launched as a result of social media accounts of alleged abuse. President Maiga told investigators that in 2020, a blogger on social media talked about allegations on Facebook that the coach of the U-18 team (Bamba) tried to sexually abuse players in exchange for a spot on the team. President Maiga explained that he got a call just before December 2020 from Papsone practically at the same time as the blogger and this is what pushed him to open the investigation. President Maiga further claims that he asked Papsone for help with him getting evidence and having the girls make complaints directly. He also claims that the blogger was: "lying and confused."

On 15 December 2020 an ordinary meeting of the FMBB was held at its headquarters under the chairmanship of President Maiga. An excerpt of the minutes of the meeting is provided as follows:

## **"2. GENERAL INFORMATION**

- *The President informed the meeting of the rumors circulating around the U-18 girls' national team that participated in the Afrobasket Cairo 2020.*
- *This is a problem between some players and coach Amadou BAMBA, Given the sensitivity of the subject, the meeting; in accordance with texts of the FMBB, asked the Discipline Commission to take up the file;*

*The meeting asked the technical commissions to draw up, as a matter of urgency, draft introductory training and retraining programmes for all bodies at league level.*

- *The meeting also decided to organize on the sidelines of the northern sports tournament scheduled in Gao from 05 to 12 March 2021, a training course for referees, coaches, and administrators.”*

According to President Maiga, Ms. Guinto tried to talk to some players in December as part of their first investigation, but no one would talk. He claims that the coach was not suspended because they could not find enough evidence and their contracts were up in December anyway.

The MIIT interviewed Ms. Guinto on 15 July. Ms. Guinto described her role as President of the Discipline Commission<sup>53</sup> including oversight of all disciplinary matters. Ms. Guinto confirmed to investigators the 15 December meeting of the FMBB wherein they discussed the abuse allegation and directed her to conduct an inquiry on the rumours that were circulating concerning sexual abuse of players by Coach Bamba. On 11 January 2021 Ms. Guinto called Ms. Fanta Diallou, an Assistant Coach with the U-18/19 Women’s team and a member of the Discipline Commission, to get the numbers of the girls. Ms. Guinto said she called three of the girls, a sister of one of the girls, and another leader. She claims to have chosen them randomly to see who she might get information from. Ms. Guinto asked to have access to the girls via the athlete support person for the team at the time. No one accepted to speak with her. Secretary General Maiga told investigators that Ms. Guinto sought out information from Coach Bamba’s Assistant Coach Diallou whom Ms. Guinto wanted to act as an intermediary. Secretary General Maiga told investigators that Ms. Guinto sought to speak only to three girls, but he does not know why she chose just those three.

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<sup>53</sup> Note: Minutes of the FMBB identify Ms. Guinto as the Chairman of the Discipline Commission, 15 December 2020.

Because no one wanted to cooperate according to Ms. Guinto, she did not bother to contact the other players, the coach, assistant coach, or parents. She told investigators that she did not talk to anyone else. However, this conflicts with testimony to the MIIT from President Maiga who claims that after the Afrobasket (2020 U-18 Championship in Cairo), even before the article from the NYT, they started an investigation and they: *“spoke to all the women”* and widened the investigation. According to President Maiga, investigators with the FMBB asked each of the women on the team for an interview, but they only wanted to speak on the phone. Assistant Coach Diallou spoke to the captain of the team to try and get her to convince others to speak to investigators, but the other members of the team had already left Mali and no one came forward.

According to Ms. Guinto, whether she believes the rumours or not, she does not know how this (sexual abuse) is possible because there is a structure and: *“we are aware of what is going on”*, further claiming they always want to find the truth because they are a country of law. Ms. Guinto explained to investigators that without any truth or proof from the girls, she could not ask the coach or the assistant coach anything. In January, she decided to close the investigation and issued her one-page report on 25 March, officially closing the matter.

Following the 13 June 2021 NYT article, the FMBB created a further Investigative Commission to investigate the allegations according to Ms. Guinto. President Maiga told the MIIT that the goal of the Investigative Commission is to always have three persons sit in on each interview, including: Ms. Guinto, Mr. Amadou Samaké, and Mr. Mamadou Famanta. President Maiga and Secretary General Maiga both signed the letter to create the Commission according to Amadou Samaké.

The three members of the Investigative Commission met on 24 June 2021. Ms. Guinto talked to Secretary General Maiga and asked for his assistance in finding the girls so that they could talk and meet with them. According to Ms. Guinto, the Secretary General chose which girls would be selected to be called. Ms. Guinto was evasive and provided conflicting statements to the MIIT about who contacted the girls. She told investigators that she did not know who contacted the girls, or how the girls were contacted but that it would have been someone at the FMBB office. After investigators asked three times, she finally said that it was Secretary General Maiga who contacted the girls. According to Investigative Commission Member Mamadou Famanta, they asked Assistant Coach Diallou to get the players to come to the office.

According to President Maiga, to his knowledge, the Commission met on 30 June 2021 to formulate their plan and that as of the start of the interview with the MIIT on 1 July, none of the athletes had been interviewed. This was not true. Five girls had been selected for interviews on that day and were at the FMBB offices at the very time President Maiga was being interviewed.

After the interview, President Maiga was asked by the MIIT via WhatsApp to verify if any interviews had been conducted, and with whom. He promised to confirm to investigators whether any interviews had been conducted on the morning of 1 July and to provide a list of names as well. According to the MIIT's evidence, the interviews were in fact taking place at the same time as the President's interview with the MIIT. President Maiga followed up with the MIIT as requested by providing a WhatsApp message with the name of the girls who had been invited to the FMBB offices.

According to Ms. Guinto, she found out on 30 June that the girls would be coming to the FMBB office the next day, 1 July, and claimed that she did not know who the information came from, or who called the girls to arrange this, later acknowledging to interviewers that it might have been Secretary General Maiga who contacted the girls as described herein. However, Secretary General Maiga told investigators in his interview on 2 July that he was not aware of any FMBB interviews with the girls as he was not in contact with the Investigative Commission.

According to Assistant Coach Diallou, whose role in the investigation was to have the girls feel comfortable, the Commission: *“summoned the girls.”* Assistant Coach Diallou told the MIIT that she called Witness #24 who then called other players on the team. Assistant Coach Diallou explained that Witness #24 called seven girls in total but two were too far to come, so in the end there were five.

On 1 July HRW sent an email addressed to the FIBA management team advising them that: *“some of the players who suffered abuse were ‘arrested’ this morning and brought to the Federation to be questioned about the case.”* The Integrity Officer and several investigators on the MIIT were copied on the email. The MIIT has no evidence that any players were arrested.

In her interview with the MIIT, Assistant Coach Diallou said that she told the Investigative Commission about a complaint she received from a player witness just prior to the 2020 U-18 Women’s Championship in Cairo and they told her they would run their investigation.<sup>54</sup> It appears

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<sup>54</sup> See Chapter 5.9.6 Harassment Concerns Reported to Assistant Coach Fanta Diallou for more detail.

that Mamadou Famanta was aware of the complaint made to Assistant Coach Diallou because he told the MIIT that: *“she could not know about sexual abuse because it is being done behind closed doors”*; he also said that she counselled girls to stay in groups and that she was new to the team and did not want to get involved with issues involving Coach Bamba. Mr. Famanta also told investigators that they did not receive any written complaints from any players in relation to Coach Bamba.

According to Ms. Guinto, the girls came straight to the FMBB office on 1 July and they spoke to the first five that came. Assistant Coach Diallou and three members of the Commission were present. The MIIT asked Ms. Guinto what questions were asked, to which she replied: *“I don’t remember.”* First they spoke to the girls as a group, then they told them to leave the room and they spoke to each of the girls individually according to Ms. Guinto. Assistant Coach Diallou told the MIIT that they interrogated the players one at a time. She said the girls were not scared, and that **[Redacted]**. Furthermore, Assistant Coach Diallou told investigators that the information was put in the report that Witness #24 had made a complaint, but it is unclear to the MIIT if Assistant Coach Diallou ever provided information for a report. In direct contradiction to Assistant Coach Diallou’s recollection of the events, all the girls said that they were scared when they were summoned to the FMBB office as well as throughout their “interviews”. They had agreed amongst themselves beforehand that they would not say anything. They also feared retribution and did not want to lose their spot on the team.

According to Ms. Guinto, the girls were asked if they were victims or if they had knowledge of other victims. Four of the girls said nothing and one of them said: **[Redacted]**. Ms. Guinto does not remember who asked the questions and reiterated to investigators that she did not remember what

questions were asked. She advised the girls that she was mandated by the FMBB to find out information and that the information would be shared with the FMBB. It is standard best practice in an investigation that a written interview guide be prepared, especially so when interviewing vulnerable witnesses who may have been the victims of sexual abuse. This does not appear to have been the case with the interviews of the girls who were summoned to the FMBB offices given Ms. Guinto's statement that she cannot remember the questions that were asked. In contrast to this, the MIIT team prepared and consulted each other on interview guides for all such interviews that were conducted as part of the independent investigation.

Amadou Samaké said that the girls had nothing to report when interviewed on 1 July 2021. The MIIT is unable to understand why Assistant Coach Diallou did not speak up at this stage about the allegations made to her in Cairo. However, Mr. Samaké also told investigators that one player told them about the **[Redacted]** allegations against Coach Bamba.

According to Ms. Guinto, after the interviews and after one of the players said she would not speak **[Remaining paragraph Redacted]**.

#### 5.9.9 Mali Judicial Appearance

President Maiga told investigators that the FMBB had not spoken to the Police because of insufficient evidence and because they did not want the Police to intervene in the FMBB

investigation. President Maiga was concerned that if the Police got involved they would stop the FMBB from moving forward with their investigation.

However, on **[Date Redacted]**, Witness #18 received a message from Amadou Traoré who explained that: *“An investigating judge has been appointed to investigate prosecution and defence in order to establish the truth of what really happened.”* Details of the appearance are further provided as follows:

**[Paragraph Redacted]**

In fact, the two girls who wished to come forward and file police reports were not invited to. **[Name Redacted]** was not informed, and the coaching staff informed the Police that she could not go to the police station because **[Redacted]**. Another player who indicated her willingness to file a report was also not asked to go. With the help of legal counsel, this witness later did manage to be deposed and file her report with the Police. The MIIT has received confirmation that this same legal counsel currently represents four of the players, **[Redacted]**.

The MIIT remains perplexed as to why the main complainants were never invited to file reports and why the Police did not reach out to the MIIT as offered to allow them to complement their own investigation.

#### 5.9.10 [Redacted]

**[Four paragraphs Redacted]**

### 5.9.11 “Je Suis Harouna Maiga” Campaign

A public protest was orchestrated by individuals in the Malian basketball community to discredit and thus intimidate witnesses. This includes evidence of family members of FMBB officials who have participated in this effort, including Ms. Hamchetou Maiga, sister of President Maiga. The MIIT were informed by active sources on the ground in Mali that Harouna Maiga, Seydou Maiga, and Mamadou Konaté, Deputy National Technical Director of the FMBB, are all members of the campaign.

Secretary General Maiga told investigators that he and the FMBB are not involved in the “Je Suis Harouna Maiga” group and he knows nothing about it. However, when he was shown screen shots of the group and was asked if he is part of the WhatsApp group “Je Suis Harouna Maiga” he told investigators that it is possible for him to be part of the group created but not contribute to it; this is evidence that he did, in fact, know about the existence of the group despite his previous denial. He further added that he never commented and never sent a message.

The provisional suspension of FMBB President Maiga by FIBA on 23 July 2021 led to even more egregious efforts to discredit witnesses and thus influence the investigation. For example, a video entitled: *"March of the Collective: 'I am Harouna' To Support The President of the FMB: (Video)"* was posted on the social media site “Malivox.net”.<sup>55</sup> This video shows a large demonstration in support

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<sup>55</sup> Malivox.net, "March of the Collective: 'I am Harouna' To Support The President of the FMB: (Video)" online: <<https://malivox.net/basketball-marche-du-collectif-je-suis-harouna-pour-soutenir-le-president-de-la-fmb-video/>> [last accessed 9 August 2021].

of Harouna Maiga complete with families and children marching behind professionally made banners with the words “Je Suis Harouna Maiga (...)”.

Another example of efforts to mount pressure against the investigation is an official press release issued by the FMBB on 25 July 2021<sup>56</sup> in response to the suspension of President Maiga. The tone and content of the press release is inappropriate and constitutes interference; it takes a position of support for the suspended President and casts doubt on the legitimacy of the independent investigation.

*“...the so-called sexual harassment case of which some of our comrades are accused.”*

*“The Federal Bureau supports President Harouna Boubacar MAIGA in this ordeal and assures him that he will be standing firmly against all odds.”*

*“In all responsibility, the Federal Bureau does not want to get involved into the debate at this stage of the investigation, but rest assured that at the appropriate time, the Federal Bureau will give itself the legal means to defend the honour of Mali, tarnished by some who, in the shadows are working to fulfill the destiny that the basketball community did not give them.”*

*“The current sabotage of all the actions and initiatives of the Federal Bureau is part of this scheme that will improbably fail.”*

Contrary to the assertion in the press release, the evidence demonstrates that the FMBB has in fact: *“gotten involved in the debate at this stage of the investigation”* by the comments in the press release itself, notwithstanding other barriers as noted herein. This press release clearly galvanised opposition to the independent investigation through evidence gathered by the MIIT including French language media reporting and the aforementioned *“March of the Collective (...)”*.

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<sup>56</sup> Note: The 25 July press release was issued by FMBB and signed by Amadou Traoré, Vice-President.

The “Je Suis Harouna Maiga” group is also fundraising to support President Maiga and has undertaken efforts to mock and discredit the independent investigation which is an ongoing source of intimidation for victims and witnesses.

#### 5.9.12 Corruption and Allegations of Bribes<sup>57</sup>

The MIIT received a variety of allegations concerning financial improprieties including management of the FMBB finances, as well as bribes for votes and for players to secure a roster spot. Witness #5 claims that male players are often forced to pay financial bribes to coaches to secure a place on the team. Secretary General Maiga claims to have no knowledge of parents having to pay coaches for the boys to play basketball. Witness #16 claims that bribes were paid to nine people to vote for Harouna Maiga during his candidacy for President.

Witness #16 alleges that all the FMBB Presidents from Abdallah Mahamane Haidara forward have been using FMBB money, including sponsorship from Orange, for themselves. It is further alleged that FMBB members travel with a lot of friends on the account of the FMBB. *“So all of the Presidents have had knowledge of this money going in from Orange and they’ve all been helping themselves or taking friends on trips.”* Witness #16 claims **[Redacted]**.

Witness #16 claims that President Maiga was responsible for the money when Jean-Claude Sidibé was President. In 2009-2010 payments started to the FMBB from the sponsor Orange and: *“they*

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<sup>57</sup> Note: the MIIT made multiple requests for audited financial statements from the FMBB, however, these were not provided. See Chapter 5.6 FMBB Interference and Obstruction of the Independent Investigation.

*hide the contract with Orange from everyone.”* Witness #16 further alleges that Mamadou Konaté, current President of the FMBB Finance Committee, was spending too much money, and that Mr. Sidibé and Mr. Konaté were ensuring that money wasn’t being paid properly.

First Vice-President Amadou Traoré, in response to a question about FMBB support from Orange, said that the Minister of Sport just manages the money for the international teams, and the money from Orange goes to the FMBB and is used for the purpose of its many activities.

MIIT sources have confirmed that Jean-Claude Sidibé owns several properties and hotels in Bamako including the Hôtel Columbus. Many sources commented that when Mr. Sidibé was the Malian Minister of Sport, he forced the players to stay overnight in his hotel even though his hotel did not actually meet the standard criteria required. Consequently, some players ended up moving to other standard hotels where they paid their own charges. Witness #35 claims that boarding before leaving for tournaments is done at hotels owned by Jean-Claude Sidibé.

None of the above allegations have been independently verified by the MIIT. Requests for audited financial statements by the Integrity Officer were denied by the FMBB, in contravention of FIBA Regulations.

#### 5.9.13 Jean-Claude Sidibé

The MIIT interviewed several witnesses who spoke about the power and influence of Jean-Claude Sidibé, including allegations of interfering with the independent investigation and intimidating

witnesses, sexual abuse, and using personal hotel properties to his advantage for the boarding of FMBB players. None of these allegations has been independently verified by the MIIT; they are referred to FIBA for any further investigation and action that is deemed necessary.

In an email from **[Name Redacted]** to a MIIT investigator they state: “ **[Name Redacted]** is particularly worried regarding the welfare of **[Name Redacted]** when she goes to basketball training which is **[Redacted]**. Especially now [player] has had calls from Jean-Claude Sidibé reminding him that he knows who has supplied information to the examining magistrate.”

Witness #44 describes Jean-Claude Sidibé as: “quite powerful” who can make people disappear or imprison people who speak out against him or the FMBB.

Witness #5, **[Redacted]**,<sup>58</sup> alleges that he has spoken to a female player who had been abused by Jean-Claude Sidibé, who is now married and not prepared to talk. The player also questioned if it is normal for a former President to travel with the team. Witness #16, **[Redacted]**, told investigators that Sidibé was telling players to go out with him and you will play on the team. Witness #16 also alleges that Sidibé was dating a 16-year-old girl in Mali who is now **[Redacted]**. Witness #44 alleges that Jean-Claude Sidibé abused a player whose name was provided in confidence to the MIIT.

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<sup>58</sup> Note: Witness #5 will not provide the names of victims directly to the MIIT; however, they advised that they would authorise HRW and Romain Molina of the NYT to disseminate all other evidence that they have provided. No such evidence was provided to the MIIT.

Witness #35 recounted a story about a Malian basketball player who is now [Redacted]. Her mother made her [Redacted] because of Jean-Claude Sidibé. Apparently, the mother has evidence and kept text messages that Sidibé was sending to her daughter [Redacted]. [Remaining sentence Redacted].

## Chapter 6: Findings

This Chapter begins with the MIIT’s findings concerning policy breaches and safeguarding failures of the FMBB as an organisation followed by policy breaches of named individuals.

### 6.1 FMBB Policy Violations

#### Applicability

The FMBB, its executive, employees, coaching and technical staff and all personnel are subject to the FIBA General Statutes and Internal Regulations including the Code of Ethics, Code of Conduct, and Safeguarding Articles by virtue of membership to FIBA and the FMBB. The persons listed in Article 1-89 are collectively referred to as: *“the Basketball Parties”* who are: *“bound by, recognise and deemed to be familiar the General Statutes, the Internal Regulations, and other rules and regulations, policies, or decisions of FIBA.”*

Pursuant to Article 9.3 of the Statutes, the statutes and regulations of National Member Federations must comply fully with these General Statutes and the Internal Regulations of FIBA. These General Statutes and the Internal Regulations of FIBA shall form part of the National Member Federations' statutes and regulations. In the event of doubt or conflict, these General Statutes and the Internal Regulations of FIBA shall prevail.

It follows that the FMBB, and its executive, employees, coaching and technical staff and all personnel were subject to FIBA safeguarding by virtue of membership to FIBA and the FMBB. Furthermore, the FMBB, its executive, employees, coaching and technical staff and all personnel are subject to FIBA's disciplinary powers under the terms established in Chapter 5: Code of Conduct and Chapter 6: Sanctions of the Internal Regulations.

Vulnerable Groups are defined in the Internal Regulations Definitions as: *“Minors or any person who is vulnerable or at risk of abuse or neglect due to their mental or physical incapacity, their age, illness or the need for care or support.”*

## **Findings**

### **6.1.1 The FMBB had (and has) no safeguarding policy**

- The FMBB has never had a safeguarding policy.
- Without a policy there can be no reporting system as required by FIBA IR.
- Although they allege that they have drafted one recently, referred to as the “Ethical Charter of the FMBB”, it has not been published, is not in force nor currently applicable.

- The current draft of the EC is wholly insufficient as a safeguarding policy and is not in compliance with current FIBA safeguarding articles or any accepted international best practice for safeguarding.
- Consider that the words “vulnerable”, “abuse”, “sexual”, and “harassment” do not appear in this EC.

#### 6.1.2 FMBB failed to adequately investigate complaints

- The investigation after the 2020 U-18 Women’s Championship in Cairo was incompetent and incomplete. A one-page report is no report at all.
- President Maiga failed to investigate **[Name Redacted]** complaint about Coach Bamba harassing and abusing **[Redacted]**. President Maiga failed to do so despite promising to look into the issue.
- President Maiga failed to investigate or follow-up on Witness #36’s complaint.

#### 6.1.3 The FMBB have failed to respect the FIBA Code of Ethics and Integrity in both its actions and inactions against its players, past and present.

#### 6.1.4 Breaches of Article 1-127

*“Everyone has the right to participate in basketball in an environment that is safe and enjoyable. FIBA is committed to protecting player welfare, including non-discrimination and the prevention of harassment and abuse.”*

- The FMBB does not appear to be committed to protecting player welfare or the prevention of harassment and abuse.

#### 6.1.5 Breaches of Article 1-128

*“Basketball Parties shall respect and promote the rights of Vulnerable Groups.”*

- The FMBB is not committed presently to respecting and promoting the rights of vulnerable groups.

#### 6.1.6 Breaches of Article 1-129

FMBB and its staff, employees, and members have failed to fulfill each and every obligation applicable to them pertaining to their safeguarding obligations.

*“Basketball Parties shall familiarise themselves and comply with their safeguarding obligations, which include the following:*

- a. Ensure the safety of any Vulnerable Groups in their care;*
- b. Always act in the best interests of Vulnerable Groups;*
- c. Maintain appropriate and professional boundaries at all times;*
- d. Treat all persons, especially Vulnerable Groups, equally, with respect, dignity and fairness;*
- e. Ensure that the same professional standards are applied regardless of ethnic origin, colour, nationality, race, religion, gender, sexual orientation, age or disability;*
- f. Recognise the development needs of minors and the capacity of Vulnerable Groups;*
- g. Promote an environment that is safe and enjoyable;*
- h. Ensure that any concerns or allegations concerning the welfare of Vulnerable Groups are acted upon and recorded in accordance with this policy; and*
- i. Empower and educate Vulnerable Groups on their rights.”*

- The FMBB does not appear to be committed to respecting and promoting any safeguarding obligations.

#### 6.1.7 Breaches of Article 1-130

*“All forms of harassment, vilification, and abuse by Basketball Parties, be it physical, professional or sexual, and inflicting, facilitating or tolerating any non-accidental physical or mental injuries are strictly prohibited. In particular, without limitation, Basketball Parties shall not engage in the following:*

*a. Bullying.*

- Since Witness #27 reported her abuse, she has been mistreated by the Technical Staff.

*d. Neglect.*

- Various accounts of the girls not being given water or food on prolonged layovers at airports.
- Witness #27 has been neglected by FMBB since reporting the abuse.

*e. Negligence.*

- The FMBB has been negligent for decades in what appears to have become an institutionalised system of sexual abuse and harassment and cover-ups.

*f. Physical abuse.*

- Witnesses #24, #27, #36 gave direct evidence of sexual abuse.
- Multiple hearsay witnesses including former coaches and players concerning sexual harassment and abuse allegations spanning decades.

#### 6.1.8 Breaches of Article 1-155

- In addition to complying with FIBA's safeguarding articles, National Member Federations are required to develop and implement their own regulations or policies and procedures to safeguard persons from harassment and abuse as noted in Article 1-155.
- Although the allegation is that they have drafted such regulations, the draft EC is wholly insufficient as a safeguarding policy and the FMBB does not appear to have enacted or to have started implementing any such regulations. Furthermore, it would not be worthwhile to do so. A new start is required.
- National Member Federations are also required to be familiar with the General Statutes, the Internal Regulations, and other rules and regulations, policies or decisions of FIBA (Article 1-90) and must ensure that participants are also aware of and in compliance with the present code as noted in Article 1-155(a). National Member Federations are further obligated to develop and implement education programs for stakeholders as prescribed in Article 1-156.
- In an interview with the MIIT on 2 July, Secretary General Maiga was asked how the FMBB would protect girls if they came to complain. His response was: *"It's not up to us, it's up to the State."* This response is indicative of the abdication of responsibility by the FMBB

to safeguard its players. The State does not run and manage the sport. That is FMBB's responsibility and job.

- Relying on all the evidence submitted as Exhibits to this Report, the FMBB falls short on all these requirements and is therefore in breach of Article 1-155 of the Internal Regulations.

6.1.9 The FMBB has breached its obligations under Articles 9.2, 9.3, 9.5, 9.7 and 9.8 of the FIBA General Statutes.

6.1.10 Article 9.2

*“ National member federations must observe these General Statutes, the Internal Regulations, other rules and regulations and decisions of FIBA and ensure that their members and their various bodies (including leagues and clubs) also comply with them.”*

- While there may be additional breaches of FIBA regulations by the FMBB they have, at the very least, breached their obligations of observing the FIBA Code of Ethics and Integrity Regulations.

6.1.11 Article 9.3

*“The statutes and regulations of national member federations must comply fully with these General Statutes and the Internal Regulations of FIBA”.*

- By failing, at a minimum, to develop and implement a safeguarding policy, a complaint and dispute resolution process and various other provisions as outlined herein, the FMBB's policies fall well short of complying with FIBA's General Statutes and Internal Regulations.

6.1.12 Article 9.5

*“National member federations shall establish a system for the resolution of disputes by independent arbitration, excluding – to the extent legally possible – recourse to the state courts. They shall promote recourse to and recognise decisions of the Court of Arbitration for Sport (CAS) and the awards of the Basketball Arbitral Tribunal (BAT) (...)”*

- The FMBB regulations are silent regarding a valid independent dispute resolution mechanism.
- The FMBB regulations are silent on appeals for team selection decisions (which players could have tried to use or have recourse under the circumstances to get reinstated to the team).
- In fact there is no team selection criteria outlined in any of their rules and no appeal possible for an improper application of the same.
  - It should be noted that one of the players on the U-19 delegation selected would have become an “affected party” had Witness #**[Redacted]** been able to appeal the team selection process.
- The FMBB regulations fail to provide rights to athletes for any type of dispute resolution.
  - There are appeals for field of play decisions provided but they are limited (and the appeal must be brought within four hours of the incident).
  - There is one section which speaks to the non-selection of athletes. It provides for an opportunity to make an "evocation" (a type of protest) which is not even a formal appeal and which cannot be done by a Player.
  - Any possible appeals or evocations (on limited grounds under the regulations) must always be brought by a league (its President or Secretary General) and must be joined with a significant non-refundable appeal fee.
- There appears to be nothing in the FMBB regulations regarding the recognition of the Court of Arbitration for Sport or the Basketball Arbitral Tribunal.

#### 6.1.13 Article 9.7

*“National member federations shall manage their affairs independently and with no influence from third parties.”*

- Confidential evidence provided by the MIIT illustrates interference by third parties.

#### 6.1.14 Article 9.8

*“The accounts of national member federations must be audited in accordance with international accounting standards each year by an independent external auditor.”*

- The FMBB’s audited financial statements for the last 7 years were requested by way of formal correspondence and were refused.
- Former FMBB President Hamane Niang told investigators that the FMBB did not provide traditionally audited financial statements during his tenure.
- Acting President Traoré told investigators that only those individuals identified within the FMBB statutes are entitled to receipt of copies of financial statements.
- The Secretary General was also requested to provide audited financial statements and did not do so.
- The MIIT requested from the FMBB copies of its audited financial statements on two occasions. These were never provided.

#### 6.1.15 Impeding the Integrity Officer’s independent investigation – FMBB’s Breaches of Articles 1-99 to 1-101 of the Internal Regulations

The FMBB, its executive, employees, coaching staff and all personnel were subject to the FIBA General Statutes and Internal Regulations requiring their cooperation with the investigation.

- Members of the FMBB did not comply with Articles 1-99 to 1-101 of the Internal Regulations and initiated significant barriers and attempts to obstruct the independent investigation.
- The FMBB was advised by both the Integrity Officer and FIBA Legal of concerns regarding cooperation with the independent investigation and their obligations to cooperate as required by the Internal Regulations. Despite such requirements, certain officials of FMBB did not cooperate including failing to provide requested documentation.
- The FMBB was instructed by the Integrity Officer and FIBA Legal to immediately suspend their own internal investigation that had been initiated following the start of the Integrity Officer’s investigation. The FMBB had interviewed several witnesses after the Integrity Officer’s investigation had commenced.
- See 6.2 for additional individuals named who breached these Internal Regulations.

#### 6.1.16 Breaches of Article 1-98

*“98. Basketball Parties shall not commit any act that seeks to intimidate or threaten any Person in order to prevent or discourage that Person from the good-faith reporting or collaboration with an investigation (e.g. by testifying as a witness) of a suspected violation of the Code of Conduct, or any related information, nor commit any act of retaliation related to this good-faith reporting.”*

- Multiple witness accounts of retribution; evidence was provided that the girls on the team were blamed and made to feel guilty and shamed for missing their first game of the FIBA 2021 U-19 Women’s Basketball World Cup in Hungary; they were told that it was their complaints that led to the suspension of the President and this was the reason for the team’s delayed travel to Hungary. This is attributed to technical staff with the team in Hungary.
- Video evidence of “*March of the Collective: ‘I am Harouna Maiga’*” video in support of President Maiga that discredits witnesses and the independent investigation.
- Removal of **[Name Redacted]** from the U-19 Women’s National Team prior to travelling to Hungary in 2021. This is attributed to **[Redacted]**.
- See 6.2 for additional individuals named who breached this Internal Regulation.

## 6.2 Individual Violations

### **Applicability**

As noted in Section 6.1, individuals fall within the definition of “Basketball Parties” including FMBB executives, employees, coaching staff, and technical staff. Basketball Parties are subject to the FIBA General Statutes and Internal Regulations including the Code of Ethics, Code of Conduct, and Safeguarding Articles.

### **Findings**

The following provisions of FIBA Regulations have been breached by individuals who are named under each specific Article.

### 6.2.1 Breaches of Article 1-93

*“93. Basketball Parties shall comply with the FIBA General Statutes, the Internal Regulations (including, without limitation, the provisions of this Code of Conduct and all Books of the Internal Regulations), and other rules and regulations, policies or decisions of FIBA. Basketball Parties shall comply with principles of ethical conduct, loyalty, integrity and sportsmanship. They shall not take any action that has a detrimental effect on the sport of basketball, the reputation of, or any policy of FIBA.”*

- FMBB President Maiga has breached Article 1-93 based on the evidence provided herein. His actions and inactions have had a detrimental effect on the sport of basketball, the reputation of, or any policy of FIBA.
- FMBB Acting President Amadou Traoré signed a letter that refused to provide the requested audited financial statements to the Integrity Officer in breach of Article 1-93, among others.
- Assistant Coach Diallou failed to report complaints of abuse made to her by players despite her duty to do so.

### 6.2.2 Breaches of Article 1-98

*“98. Basketball Parties shall not commit any act that seeks to intimidate or threaten any act that seeks to intimidate or threaten any Person in order to prevent or discourage that Person from the good-faith reporting or collaboration with an investigation (e.g. by testifying as a witness) of a suspected violation of the Code of Conduct, or any related information, nor commit any act of retaliation related to this good-faith reporting.”*

- Coach Bamba has breached Article 1-98 based on the evidence provided herein including threats and acts of retribution on victims and witnesses.
- Multiple breaches of this Article by FMBB and Basketball Parties including press release issued by Acting President Amadou Traoré questioning *“the morality of witnesses”* and *“the so-called sexual harassment case of which some of our comrades are accused.”*

### 6.2.3 Breaches of Article 1-99, Article 1-100, Article 1-101

*“99. All Basketball Parties shall cooperate fully with FIBA or other competent authority in upholding the Code of Conduct, including by cooperating with any investigation regarding a possible violation. Such duty includes, inter alia, compliance with (i) an order to appear and*

*testify under oath in person to the best of the Person's knowledge and judgement, and (ii) the duty to comply with requests for information from FIBA."*

*"100. Basketball Parties shall not obstruct or delay any investigation that may be carried out by FIBA or other competent authority in relation to a possible violation of this Code of Conduct, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation."*

*"101. All Basketball Parties shall provide to FIBA within a reasonable period or as directed by FIBA, any information that is related to the alleged breach, including without limitation: a. Copies or access to all records relating to the alleged breach (such as without limitation, telephone records, bank account numbers and statements, cryptocurrency wallets, transaction histories for any money transfer service or e-wallet and internet and email records and Internet service records; credit card and transaction details, betting accounts records, personal devices (including mobile telephone(s), tablets and/or laptop computers), computer hard drives and other electronic information storage devices and documents; access to any social media accounts and data accessed via cloud services including user names and password; and b. Written statements setting out in details all of the facts and circumstances of which the Person is aware with respect to the alleged breach."*

- President Maiga failed in his obligation to fully cooperate with the independent investigation and failed to uphold the Code of Conduct. This includes his refusal to provide audited financial statements at the request of the Integrity Officer. This amounts to obstructing the independent investigation.
- Acting Vice-President Amadou Traoré did not cooperate fully with the independent investigation including his duty to provide audited financial statements which he refused to do and was communicated by a letter signed by Mr. Traoré addressed to the Integrity Officer. This amounts to obstructing the independent investigation.
- Secretary General Maiga did not cooperate fully with the independent investigation including his duty to provide audited financial statements as revealed in his second interview with the Integrity Officer. This amounts to obstructing the independent investigation.
- President Maiga, Secretary General Maiga, and acting President Traoré were all reminded of their obligation under the FIBA General Statutes and Internal Regulations to provide the financial statements to the Integrity Officer.
- FMBB senior executives including President Maiga and Secretary General Maiga gave conflicting testimony regarding their knowledge of sexual harassment and abuse. The

MIIT gathered evidence showing that President Maiga had prior knowledge of reports of harassment and abuse that he did not disclose to investigators when asked.

- Ms. Aïssata Guinto gave evasive, uncooperative testimony to the MIIT concerning the FMBB's internal investigation.

#### 6.2.4 Employees of the FMBB failed in their duty of notification to immediately report a policy violation

- Assistant Coach Fanta Diallou did not immediately report concerns brought to her attention by players on the team about alleged sexual abuse of Amadou Bamba.
- President Maiga received complaints from Witness #36 and failed to deal with the matter.
- Complaints were made to President Maiga and Secretary General Maiga by **[Name Redacted]**. No action was taken to further investigate the allegations.

## Chapter 7: Recommendations

### The MIIT recommends that:

- 7.1 FIBA weigh the evidence concerning the many failures of the FMBB to ensure adequate safeguarding of players in the future and consider it a top priority.
- 7.2 FIBA reserve the right to undertake additional investigation and disciplinary actions concerning all allegations and evidence produced in this Report.
- 7.3 FIBA review the many safeguarding failures of the FMBB as described herein with a view to establishing a process by which the FMBB can become compliant with FIBA Regulations. The Integrity Officer can assist this process by providing best practice examples of safeguarding policies and procedures.
- 7.4 FIBA create an internal task force to manage and oversee governance changes to FMBB to improve the FMBB's administration of basketball in Mali including the development of

appropriate policies, procedures, reporting mechanisms, and disciplinary processes. This should include the development of a Terms of Reference document including the duties, responsibilities, and qualifications of members to serve on this task force. It is strongly recommended to ensure that the task force includes an expert or experts on safeguarding.

- 7.5 FIBA examine the evidence and findings contained herein under FIBA General Statutes, Internal Regulations, and Codes in force at the applicable time of the conduct. FIBA should determine those matters that ought to be referred to the FIBA Disciplinary Commission. The findings contained herein should also be examined in terms of requirements of local law at the time of reported incidents to determine if there are any further complaints to be referred to the Disciplinary Commission.
- 7.6 FIBA should register as an affected party of the criminal proceedings involving Coach Bamba to examine the evidence obtained by the criminal process. FIBA should then examine the evidence obtained by the criminal process as well as the evidence provided by the independent investigation and determine if a *prima facie* case is established. Based on the evidence, the Integrity Officer would recommend a sanction of a lifetime ban of Coach Bamba from any basketball involvement governed by FIBA.
- 7.7 The FIBA Disciplinary Commission review the direct witness evidence concerning President Maiga including efforts to obstruct the investigation; lying to investigators about his knowledge of sexual abuse and his failure to adequately follow-up on complaints of abuse to determine if a *prima facie* case is established.
- 7.8 The FIBA Disciplinary Commission review the direct witness evidence concerning Assistant Coach Diallou concerning her failure to immediately report complaints of abuse to determine an appropriate course of action.
- 7.9 The FIBA Disciplinary Commission review the evidence concerning Amadou Traoré including his issuance of a press release that questioned the “*morality of witnesses*” and his refusal to provide audited financial statements to determine if a *prima facie* case is established.

- 7.10 The FIBA Disciplinary Commission review the evidence concerning Secretary General Maiga and his refusal to cooperate by providing audited financial statements requested by the FIBA Integrity Officer to determine if a *prima facie* case is established; as well as other evidence provided by witnesses including downplaying complaints and failing to properly support alleged victims in his capacity as the senior leader of the FMBB.
- 7.11 The FIBA Disciplinary Commission review the evidence provided concerning Cheick Oumar Sissoko aka “Yankee” which, although hearsay, involves multiple different witnesses who allege unethical behavior as a coach. Yankee was in a position of enhanced trust and responsibility in supervising and leading youth under the age of 19. Under the general principles of international law and human rights, he has engaged in misconduct which may be investigated by Mali law enforcement. Although the MIIT has no direct evidence as to his misconduct, it is further recommended that FIBA approach the Mali Ministry of Sport and Mali law enforcement to proceed further with the matter and to investigate if he has violated local laws.
- 7.12 The FIBA Disciplinary Commission review the evidence concerning Amadou Ario Maiga which, although hearsay, involves two different witnesses who allege unethical behaviour. Although the MIIT has no direct evidence as to his misconduct, it is further recommended that FIBA approach the Mali Ministry of Sport and Mali law enforcement to proceed further with the matter and to investigate if he has violated local laws.
- 7.13 The FIBA Disciplinary Commission review the evidence provided concerning Jean-Claude Sidibé and assess his ongoing influence and interactions with the FMBB including suitability to be a candidate in any FMBB elections to any official positions.
- 7.14 FIBA should assist FMBB in implementing a confidential complaint process and appropriate disciplinary process.
- 7.15 FIBA should consider a world-wide central registry to record sexual abuse allegations and convictions of basketball coaches and other player entourage.

- 7.16 FIBA should consider how it may assist in providing psychological support for victims named or confidential witnesses in this Report.
- 7.17 President Hamane Niang consider and determine his appropriate course of action based on the contents of this Report.

## Appendix 1: New York Times Email Correspondence to FIBA, 10 June 2021

**From:** Jere Longman <longman@nytimes.com>

**Date:** 10 June 2021 at 05:18:29 CEST

**To:** Communications FIBA <Communications@fiba.basketball>, Communications FIBA <Communications@fiba.basketball>

**Subject: URGENT: New York Times investigation of Hamane Niang and sexual abuse of female basketball players in Mali**

I am Jere Longman, a sports reporter for The New York Times. A colleague and I are investigating allegations of systemic sexual abuse of female basketball players, the majority of them teenagers, since the early 2000s in Mali. Some of the abuse occurred in the dozen years when Hamane Niang was president of Mali's basketball federation and the country's sports minister.

Mr. Niang is not accused of committing sexual abuse. But according to players, officials and activists, Mr. Niang largely ignored the abuse as one of Mali's most powerful sports officials and in violation of FIBA's zero tolerance policy on sexual assault.

One coach, who is a close friend of Mr. Niang's, is among the accused abusers. Three former players said Mr. Niang was present for some of the abusive behavior but did nothing to intervene.

And, Mr. Niang's critics say, his inaction as president of FIBA continues to leave female basketball players vulnerable to exploitation in Mali, a country where sexual violence against women is commonplace and laws to protect them are weak.

Activists have told us they know of at least 100 players who say they were sexually assaulted by about a dozen coaches and federation officials in Mali. This includes a 16-year-old who got pregnant by her coach and said she was pressured to have an abortion in 2018.

Mr. Niang's critics said they find it inconceivable that Mr. Niang was not aware of systemic abuse in Mali.

Human Rights Watch is calling for Mr. Niang to be suspended as president of FIBA while an independent investigation is conducted.

Human Rights Watch says Mr. Niang knew or should have known about the sexual abuse.

I have listed a series of questions below for Mr. Niang. Please forward them to him. If he chooses to reply, we request that he do so by Monday morning, at the latest, either in a statement or an interview. My email is longman@nytimes.com. My mobile is +1-610-574-3206. Please acknowledge that you have received this email.

I would like to know whether FIBA is aware of the allegations of systemic abuse of female players in Mali and whether it has investigated them, or plans to investigate them?

I would also like to know whether FIBA believes Mr. Niang was aware of the abuse. If so, did he make any attempt to stop it, then or now? How?

Or did he largely ignore the abuse and violate FIBA's zero-tolerance policy? And does FIBA plan to investigate, suspend or fire Mr. Niang?

Here are the questions for Mr. Niang:

Activists have told us that they know of at least 100 players who say they were sexually assaulted by about a dozen coaches and Mali basketball federation officials since the early 2000s, including a 16-year old who was impregnated by her coach and pressured into an abortion in 2018.

Critics say they find it inconceivable that you were unaware of the abuse, given that you were president of Mali's federation from 1999 to 2007 and sports minister from 2007 to 2011. How do you respond?

Activists, players and officials said you largely ignored these assaults. And they say, as FIBA's president, your inaction continues to leave female players vulnerable to abuse, which is ongoing. How do you respond?

Did you know of the systemic abuse? If so, did you try to stop it? How?

Did you report it to FIBA, law enforcement or social services, as required by FIBA's zero tolerance policy on sexual abuse?

If you did not know about the abuse, should you have known?

Why does such abuse occur?

How do you respond to Human Rights Watch calling for you to be suspended while the allegations of abuse are investigated? Do you think you can still be an effective leader of FIBA?

Three former players said you witnessed inappropriate behavior by your friend and former women's national coach, Cheick Oumar Sissoko, or Yankee, and did not try to stop it. Two players said you were present in a nightclub in Bamako in 2006 or 2007, when Yankee groped their breasts and buttocks as the players danced with him while celebrating a victory. The players said you laughed along with Yankee and did not intervene to protect the players.

Do you remember the incident? Did you witness it? If you did, did you try to stop Yankee from assaulting the players? If not, why not?

A third player said that you attended practices as federation president where Yankee repeatedly made lewd sexual remarks about players bodies. The player said you did nothing to stop him.

Do you recall Yankee making inappropriate remarks at practices? Did you try to stop him? If not, why not?

The third player told us that Yankee pressured some players into having sex with him, which affected their psychology, their ability to play basketball and their school work. Are you aware of whether Yankee ever had sex with his players? If so, did you permit it or try to stop it? How? Did you report the accusations to FIBA, law enforcement or social services, as required by FIBA's zero tolerance policy?

We were told that Yankee was replaced by Jose Ruiz as coach of Mali's women's team for the 2013 Afrobasket tournament because two players complained about Yankee's behavior to Mali's sports ministry.

Is this accurate? Why was Yankee replaced? Were you aware of his inappropriate behavior?

Did you ever discipline Yankee for any inappropriate behavior? If so, please describe the punishment?

Despite many concerns about Yankee's behavior, he accompanied you to a news conference in 2019 when you announced your candidacy for FIBA president, according to reports from the press conference. Why did you want him there?

Did you ban Hario Maiga for life from the Mali federation in 2003 or 2004 for allegedly sexually assaulting players? We were told that you did by a high-ranking official.

By 2014, Mr. Maiga again held a prominent position in the federation. By then, you were gone from the Mali federation and the sports ministry, but had become FIBA vice president and president of its Africa region. Did you protest or try to stop the reinstatement of Mr. Maiga? If so, did the federation ignore you? If you didn't protest or try to stop the reinstatement, why not?

Amadou Bamba, Mali's current U-18 and U-19 women's coach, has been accused of sexually abusing about a dozen players since he became the youth national coach in 2016. Two young players told us in graphic detail of his assaults on them in 2019 and 2020.

Are you aware of the accusations against Mr. Bamba? Do you believe them? If so, as president of FIBA, have you done anything to help the players and investigate or discipline Mr. Bamba? Please explain. Have you reported the accusations to FIBA, law enforcement or social services, as required by FIBA's zero tolerance policy?

Players said the federation has tried to cover up Bamba's inappropriate behavior. Do you believe that is true? If so, why did the federation try to keep Bamba's behavior hidden?

Thank you,

Jere Longman

The New York Times

## Appendix 2: HRW Letter to FIBA

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June 12, 2021

Andreas Zagklis,  
Secretary General  
International Basketball Federation (FIBA)  
andreas.zagklis@fiba.com

**Re: Concerns regarding Mali's Under-18 girls' national basketball team**

Dear Mr. Zagklis,

We write on behalf of Human Rights Watch, an international non-governmental organization that conducts research and advocacy on human rights abuses by states and non-state actors around the world.

As part of our global research on child abuse in sport, Human Rights Watch has documented a pattern of sexual harassment and abuse by Mr. Amadou Bamba, the current head coach of Mali's Under-18 girls' national basketball team (which is overseen by the Mali Basketball Federation, a member of FIBA).

This letter is meant to inform you of the reports against Bamba, inquire about FIBA's prior knowledge of Bamba's abuse, request FIBA's response to our findings, and urge FIBA to take immediate steps to protect Malian girls in basketball from abuse. We do so in accordance with the policy contained within FIBA's "[Five Pillars of Safeguarding Rights of Children and Adults at Risk](#)," which iterates "zero tolerance" for sexual harassment and abuse of players, including the abuse of children by their coaches.

In March, April, May and June of 2020, Human Rights Watch interviewed several current and former players on the Under-18 girls' national basketball team, their family members, and others involved in girls' basketball in Mali. These individuals reported to Human Rights Watch that Bamba raped, sexually assaulted, and sexually harassed numerous players on the Under-18 team, at least as recently as 2020 and dating back to 2016, his first year as the team's head coach.

Bamba also reportedly retaliated against players who refused to have sex with him, including threatening to have them imprisoned, taken off the team, and/or lose their playing time.

These reports of abuse include:



HRW.org

- In 2020, Bamba sexually assaulted a 17-year-old player on the team in her hotel room during a team trip. Bamba entered the player's hotel room in the middle of the night and "made her touch certain parts on his body" and "put his hands underneath her underwear." When she refused to have sex with Bamba, he significantly reduced her playing time on the team.
- In 2019, Bamba tried to force a 17-year-old player on the team to have sex with him, offering playing time and money in exchange for sex. She said that Bamba also regularly groped players on the team: "He kept trying to touch the younger players' breasts and other intimate parts." When she refused to have sex with Bamba, he took her off the team.
- In 2016, according to a player on the team at the time, Bamba "was touching girls all the time, touching their breasts. He was dating girls on the team...I believe he was having sex with some of the players." When the player refused Bamba's attempts to have sex with her, she was held out of games.

According to child protection experts within Mali's basketball and sporting community, Bamba's history of sexual abuse is widely known, suggesting a long pattern of abusive behavior. [Aissata Tina Djibo](#), a former player on the Under-18 girls' national basketball team and a current professional player in France, said she was very worried as soon as Bamba became coach of the Under-18 team in 2016 because she had been told by others how he had previously used his power as coach to seek sex with young players: "I told myself, these girls are [in trouble]...He's going to really do bad things." The former players with whom Human Rights Watch spoke mentioned older players warning them about Bamba's abusive behavior.

The Mali Basketball Federation has oversight over the Under-18 girls' national basketball team, including the selection of the coach. Players and athlete family members told Human Rights Watch that they had alerted the Mali Basketball Federation in 2020 and 2021 to Bamba's abuse, but that the Federation had taken no action to address the reported abuses.

To the contrary, one victim told Human Rights Watch that she spoke to the Federation in 2020 to tell them about Bamba's attempt to have sex with her. The player said that the Federation would secure her a spot on the team if she did not officially report Bamba: "[They] said if I don't disobey Bamba, then I can be on the team."

"I told the federation staff about the abuses—and no one took any action to help the girls," one former male national team player reported to Human Rights Watch. This information indicates that the Mali Basketball Federation was in violation of FIBA's child abuse protection policies, which requires that allegations of abuse be reported to local law enforcement and to FIBA for investigation.

The [2021 FIBA Under-19 Women's Basketball World Cup](#) takes place in Hungary from August 7 to 15, where Mali is one of 16 teams competing. The national team is currently under selection, and female basketball players are concerned about their safety in training before and at the tournament.

In light of these reports, we would like to request FIBA's response to the following questions:

1. Does FIBA have any knowledge of the reports of sexual abuse by Mr. Bamba?
2. If yes, is FIBA aware of any investigations into Mr. Bamba's reported abuses?
3. What actions, if any, does FIBA plan to take in response to Mr. Bamba's reported abuses and on what timeline?

Given the reported danger Bamba poses to the girls he coaches, and the failure of the Mali Basketball Federation to take action, Human Rights Watch urges FIBA to intervene and take the following steps:

- Suspend Bamba from all coaching and teaching, including from coaching the Under-18 girls' national basketball team, pending a full investigation into the [allegations](#);
- Suspend ~~Harouna Maiga~~, the President of the Mali Basketball Federation, in accordance with FIBA's child protection policies, pending a full [investigation](#);
- Sanction the Mali Basketball Federation for violating FIBA's child protection policies by failing to [reporting](#) Mr. Bamba's abuses to law enforcement and FIBA;
- Ensure protection from retaliation for complainants or those who may be speculated to have been [complainants](#);
- Work with Mali civil society groups and health experts to ensure abuse survivors have access to quality support services, including to pay for trauma counseling; and
- Require the Mali Basketball Federation to establish a reporting mechanism for child athlete abuse, and an investigation system for these reports.

It is crucial that an investigation be conducted, and that the investigation be survivor-centered, safe, and transparent.

By acting on these recommendations, FIBA has the opportunity to enforce its "zero tolerance" policy of child abuse in sport; protect child basketball players from further abuse; to hold abusive coaches accountable; and to signal to the world that FIBA is committed to making basketball safe for all children who participate.

FIBA can and should take steps already demonstrated by other global federations such as FIFA where coaches, referees, and officials of the Haiti Football Federation—including the president of the federation and senior staff—[were suspended for sexual abuse of women and girl football players](#), or for knowing about the abuse and failing to uphold their duty of care to athletes.

Any response to the above questions by July 1, 2021, as well as other information that you can provide on measures taken by FIBA, will be reflected in our upcoming reporting. We can be contacted by email at [Wordenm@hrw.org](mailto:Wordenm@hrw.org).

Thank you for your time and attention to this important matter.

Sincerely,



Minky Worden  
Director of Global Initiatives  
Human Rights Watch



Corinne ~~Dufka~~  
West Africa Director  
Human Rights Watch

### **Appendix 3: New York Times Article, 13 June 2021**

#### **World Basketball Chief Steps Aside Amid Sexual Abuse Investigation**

**By Jeré Longman and Romain Molina**

**Published June 13, 2021**

**Updated Aug. 6, 2021**

**New York Times**

After helping to build the West African nation of Mali into a women's basketball power, a remarkable achievement for one of the world's poorest countries, Hamane Niang was elected in 2019 as the president of the sport's global governing body.

As such, he is basketball's highest-ranking international official and was scheduled to preside over the Olympic basketball competition beginning next month in Tokyo.

But, on Sunday, Niang stepped aside at least temporarily from his position as president of FIBA, basketball's governing body, as The New York Times prepared to publish an investigation into allegations of systemic sexual harassment and abuse of dozens of female players in Mali, the majority of them teenagers, at least since the early 2000s.

Niang, 69, has not been accused of committing sexual abuse. But his critics say he largely ignored the assault of women for a dozen years between 1999 and 2011, when he served first as the president of Mali's basketball federation and then as the country's sports minister.

And, those critics say, with further inaction as president of FIBA, Niang continues to leave female players vulnerable to exploitation in his home country, a predominantly Muslim former French colony where women experience extreme inequality in daily life.

Niang "strongly denies" the accusations, FIBA said in an email to The Times on Sunday night, but he will step down as head of the organization and will cooperate while it conducts its own investigation. Niang did not respond to a list of questions sent to him last week by The Times through FIBA, but said in an email on Sunday night, "I was never implicated and I never had knowledge in any way of the accusations described in your correspondence."

Two basketball coaches from Mali who are accused of abusing current and former players were suspended by FIBA, as was a high-ranking official of the Mali basketball federation.

FIBA said it has "zero tolerance for all forms of harassment and abuse and extends its heartfelt compassion for victims of such conduct." It said it was committed to making sure the allegations contained in The Times's report are "taken seriously and properly investigated."

In interviews with The Times over the past several months, female players from Mali described Niang as failing to take action and in some cases being present when misconduct was occurring. Two players, who were teenagers at the time, described a harrowing encounter during a victory celebration at a nightclub in 2006 or 2007, saying their coach laughed and groped their breasts and buttocks as he danced with them.

Niang also was at the nightclub that evening in Bamako, Mali's capital, the players said. But instead of intervening, the players said, Niang watched and laughed along at the behavior of the coach, a close friend of his named Cheick Oumar Sissoko, known widely as Yankee.

Sissoko was suspended by FIBA on Sunday. He did not respond to requests for comment.

The players said they did not alert the authorities in a country where sexual violence against women is commonplace and laws to protect them are weak.

"It's normal, you know, for us," said one of the players, now 32, who was among many interviewed for this story who spoke on the condition of anonymity for fear of humiliation and retaliation.

Players and parents also told stories of mistreatment to Human Rights Watch and to activists for children's rights and sports reform. Niang "knew or should have known" about the abuse in Mali, said Minky Worden, the director of global initiatives for Human Rights Watch who, in a recent interview with The Times, had called for him to be suspended.

Abusive coaches and corrupt officials in the Mali basketball federation "don't look at you as a basketball player, but as a piece of meat to have sex with," said Aissata Tina Djibo, 31, a sports reform activist and former star on Mali's youth and senior women's national teams.

She and a fellow activist, Cheick Camara, said they knew of at least a dozen coaches and federation officials accused of abusing female players and at least 100 players who say they were abused.

They include, Camara said, a teenager who lived with an aunt in Bamako, Mali's capital, because her parents were too poor to support her. The girl, he said, entered into a relationship with a coach who promised he could help develop her career and assist her financially, became pregnant at 16 and was pressured by the coach into an abortion in 2018.

"It's a system and it needs proper investigation because no girl feels safe," said Camara, a former player on Mali's men's youth national team who, with Djibo, founded a reform organization called the Association of Physical Aid and Accompaniment and have interviewed abused players and assisted them and their families.

The accusations of abuse in Mali underscore a broad failure to protect girls and young women who participate in global sports, as revealed in widely publicized scandals involving gymnastics, figure skating, swimming, synchronized swimming, soccer, basketball, water polo and taekwondo. Sports integrity measures tend to focus on curbing doping and match fixing. Safeguards designed to shield female athletes from sexual and psychological abuse are underfunded and frequently ineffective or are ignored altogether.

"Harassment and abuse in sport is a very concerning topic, which has the full attention of the I.O.C.," the International Olympic Committee said in a statement, urging mistreatment to be reported to a FIBA or I.O.C. hotline.

Djibo, who began training with Mali's youth national team at age 15 in 2005 and played in her first competition in 2007, said Sissoko repeatedly made lewd sexual remarks at practices that Niang attended. Niang ignored the remarks, Djibo said. Sissoko also sometimes had sex with players who relented "because they were afraid to lose their place in the squad," Djibo said.

Asked if Niang was aware of Sissoko's behavior, Djibo said, "Of course he knew. Yankee was his best friend, they were hanging out together. That's why Yankee was so powerful. He had the backing of the president."

Other activists and officials also said it was inconceivable that Niang was unaware of the abuse, given his widespread authority and the close-knit basketball community in Mali. FIBA's bylaws include a "zero tolerance" sexual harassment policy and require that all incidents be reported to the governing body and to either law enforcement, social services or both. . Activists said they were unaware of any cases having been reported to the authorities in Mali as required by FIBA bylaws.

Ahmar Maiga, the president of Young Players Protection in Africa-Mali, a children's rights group that has interviewed abused players, said of Mali's basketball federation, "Every president for two decades is aware, but what did they do? No one lifted a finger."

Practically every senior person who worked in Mali basketball was also aware of the abuse, said Serigne Thiam, the president of Mali's premier basketball league from 2014-18 and a former self-described reform candidate for the presidency of Mali's basketball federation.

"He was there but didn't do anything about it," Thiam, who now lives in Philadelphia, said of Niang's time as federation president and sports minister. He described Sissoko as "Niang's right hand."

The Mali basketball federation also has long known of accusations of abusive behavior by the country's current youth national coach, Amadou Bamba, 51, players, parents and activists said. But, they said, the federation has done little to address these or other allegations and instead has helped to cover them up.

Bamba, who has been Mali's youth national coach since 2016, has been accused by about a dozen players and some parents of sexually assaulting team members, demanding they have sex with him to gain a roster spot and playing time and threatening or punishing those who refused, activists said.

Bamba was suspended by FIBA on Sunday. He did not respond to requests for comment.

Niang's standing with the N.B.A. and the W.N.B.A., the power centers of international basketball, has grown precarious.

"We have shared our concerns with FIBA regarding these very disturbing allegations," Mike Bass, a spokesman for both leagues, said in a statement on Thursday.

### Safeguards are ignored

The I.O.C. instructs world sports federations like FIBA how to identify and fight against abusive behavior. In turn, the international federations are supposed to educate and hold to account national federations. But often these international and national governing bodies operate with little oversight. Many female athletes in Mali and elsewhere say they are afraid to speak up because it is those with the power and responsibility to protect them — federation officials, coaches, team doctors — who are committing abuses or trying to keep them hidden.

"Those who are investigating, they're pulling up the drawbridge to say, 'We've got to protect the institution.' No, you need to protect who's been harmed," said Mary Harvey, the chief executive of the Swiss-based Centre for Sport and Human Rights. Harvey was a World Cup and Olympic champion goalkeeper for the United States women's national soccer team in the 1990s.

Given the American influence on international basketball at the N.B.A., W.N.B.A. and collegiate levels, Niang does not have the same power or visibility as the president of FIFA, soccer's governing body, or of World Athletics, track and field's governing body. But he has held a number of influential positions in Mali inside and outside of sport, including as an executive with Mali's Bank of Development and with oil companies, according to his FIBA bio.

As president of FIBA, he organizes the men's and women's Olympic basketball tournaments and the basketball World Cup; presides over 213 national federations; oversees the sport's international rules; and collaborates with the N.B.A., most recently on creating the Basketball Africa League.

Niang did bar for life a vice president of Mali's basketball federation accused of sexually abusing female players in 2003 or 2004, said Thiam, the former league president. But by 2014 the official had regained a prominent position in the Mali federation, according to news accounts. Niang was no longer president of Mali's basketball federation or its sports minister at the time and was not responsible for reinstating the official. That year, Niang became vice president of FIBA and president of its African regional governing body.

"He could have spoken out but he didn't say anything," Thiam said. "If you don't say something, that's a problem."

On Sunday, the reinstated official was suspended by FIBA, which did not state the reason.

Djibo, the activist and former player, said that Sissoko, Niang's friend and the former women's national coach, could be charming but was "obsessed by sex." When she and other players rebuffed his advances, Djibo said, they were kept out of games and competitions. Such pressure, she said, "has consequences on your life, studies and game."

But Sissoko does not appear to have been disciplined until Niang was no longer president of the Mali basketball federation or the country's sports minister.

Jose Ruiz, a Frenchman who coached Mali's senior women's national team to the African basketball championship in 2007 and in the 2008 Olympics, said he replaced Sissoko for the 2013 African championships after two players complained to the Mali sports ministry about Sissoko's behavior.

Sissoko, who is in his 50s, no longer coaches Mali's junior or senior national teams. Still, he remained close enough to Niang to accompany him to a news conference when Niang announced his candidacy for FIBA's presidency in 2019, according to news accounts.

Ruiz declined to criticize Niang, who hired him as Mali's national coach. But he acknowledged that Niang and Sissoko were close and said the abuse of female players was "a big problem."

### Widespread abuse

Mali participated in the women's basketball tournament at the 2008 Beijing Olympics. And it has since become Africa's dominant youth hoops power. Girls and young women in Mali, Djibo said, view basketball as a "way out of misery" in a country that, in 2019, ranked 158th out of 162 nations in terms of gender inequality, according to the United Nations Development Program.

In Mali, which has faced bloody political and security crises since 2012 and underwent two military coups in the last year, sexual violence against women is widespread. By various estimates, half to three-

quarters or more of women there have experienced rape and sex slavery, and forced marriage and genital mutilation are customary.

Mali has won the Under-18 African women's championship seven times. And, under Bamba's coaching at the 2019 U-19 World Cup, it became the first African nation to reach the quarterfinals. But membership on Mali's women's youth national team often comes with an abusive and degrading cost, according to current and former players and parents.

A 16-year-old player told The Times that Bamba sexually assaulted her at the 2020 U-18 African championships held last December in Egypt. While the team trained in Mali before the tournament, the player said, Bamba threatened to expel her from the team when she refused to join him in the shower or in his bed. But during the tournament, she said, Bamba entered her hotel room one night at 2 a.m., forced her to touch him then touched her breasts and tried to reach beneath her underwear. She said she fled when a teammate knocked on the door.

The player's father confirmed his daughter's description of the assault to The Times and to Human Rights Watch. The father said that his daughter quit playing basketball, having grown traumatized and withdrawn.

An 18-year-old player told The Times that Bamba assaulted her when she was 16 at the 2019 U-19 Women's World Cup held in Thailand. He called four young players to his hotel one by one, she said, ostensibly to give them advice about their careers. Instead, the teenager said, Bamba told her that if she agreed to have a relationship with him, he would supply her with basketball sneakers and equipment like shirts. He began touching her breasts, she said, and she protested and left the room.

Afterward, the teenager said, she was initially left off Mali's team for the 2020 U-18 African championships. When she and other players complained to a female coach and federation officials about Bamba's behavior, the player said, Bamba threatened them, saying he had the power to have them and their parents jailed.

Eventually, the teenager said, Harouna Maiga, the president of Mali's basketball federation, intervened and the player was named to the squad for the 2020 African championships. But, the player said, "We were pressured by the federation not to talk about Bamba."

After the U-18 African championships last December, a text message sent from the player to Maiga, and viewed by The Times, reiterated the player's concerns about Bamba, referenced an earlier meeting with Maiga on the subject and suggested she was no longer willing to keep silent. "I'm stopping it now," the player wrote.

Maiga did not respond to requests for comment.

Bamba now seems unlikely to coach Mali at the women's U-19 World Cup in Hungary in August. And Niang's presence at the Tokyo Olympics is also now uncertain.

If Niang ignored the abuse of female players, he should be "thrown out of the sport for life," said Harvey, of the Centre for Sport and Human Rights. "Zero tolerance means zero tolerance. If you knew about it, you had an obligation to report it and to do something about it."

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