



Published on *Freedom House* (<https://freedomhouse.org>)

[Home](#) > Mali

Mali

Country:

[Mali](#)

Year:

2018

Freedom Status:

Partly Free

Political Rights:

5

Civil Liberties:

4

Aggregate Score:

44

Freedom Rating:

4.5

Overview:

Mali experienced a political transition away from authoritarian rule beginning in the early 1990s, and gradually built up its democratic institutions for about 20 years. However, the country displayed characteristics of state fragility along the way that eventually contributed to a 2012 military coup, and a rebellion in northern Mali that erupted the same year. Though constitutional rule was restored and a peace agreement signed in the north in 2015, the events have left an enduring situation of insecurity.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president, who appoints the prime minister, is elected by popular vote and may serve up to two five-year terms. In a two-round presidential election in 2013, Ibrahim Boubacar Keïta, a former prime minister known by his initials, IBK, defeated Soumaïla Cissé, a former finance minister. International election observers found the election to be relatively well conducted in the places where it was held, though a fragile security situation led to very low turnout in parts of the north. Despite the election's relative

success, the political system remains fragile due to the security situation, and as the country continues to address the aftermath of the 2012 coup.

In April 2017, President Keïta appointed Abdoulaye Idrissa Maïga as the new prime minister to replace Modibo Keïta. However, in December, Maïga and his cabinet unexpectedly resigned. Days later, Soumeylou Boubèye Maïga, secretary general to the president, and a former defense minister, was appointed prime minister and formed a new government.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the 147-seat unicameral National Assembly serve five-year terms, with 13 seats reserved to represent Malians living abroad. IBK's Rally for Mali (RPM) party won 66 seats in legislative elections held in 2013, and its allies took an additional 49 seats. Cissé's Union for the Republic and Democracy (URD) won 17 seats, and the third-largest party, the Alliance for Democracy (ADEMA), won 16. Like the presidential elections, international election observers concluded the legislative elections to be credible despite insecurity that depressed turnout.

Long-delayed local elections were held in most of the country's communes at the end of 2016, despite the threat of attacks by armed Islamists. The elections were relatively well administered and considered credible, although there were issues with voter registration and reports of violence, kidnappings, and intimidation. Regional elections scheduled for December 2017 were postponed until 2018 because various armed groups objected to the timing.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Electoral operations are divided among three administrative bodies in Mali—the Ministry of Territorial Administration, the Independent National Electoral Commission (CENI), and the General Office of Elections (DGE), ensuring a degree of mutual control. The Constitutional Court also participates in the electoral process by validating election results and resolving disputes. Electoral bodies have struggled to establish secure polling places in areas where armed groups operate. Voters have been disenfranchised in past elections due to delays in the distribution of electoral identity cards, and an outdated voter registry.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The creation and the functioning of political parties are determined by a legal framework known as the Political Parties Charter, which is generally considered fair. This Charter prohibits the creation of political parties on an "ethnic, religious, linguistic, regionalist, sexist, or professional basis." There are more than 100 registered political parties in Mali, though fewer than 20 are active. Political parties are relatively weak, and are usually based around support for a particular personality, and policy

differences between parties are not always clear. Parties are often poorly funded, which hampers their ability to effectively organize and win voter support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Electoral competition is open to opposition forces. A 2014 law institutionalized specific privileges for opposition parties in the parliament, such as the ability to choose an official leader of the opposition. However, in 2016 the ruling majority passed, over the objections of opposition parties, amendments to the electoral code that favored establishment and majority parties by requiring candidates to make a significant financial campaign deposit, and to receive support from national councilors.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

Political choices remain the privilege of the Malian people, though these choices are occasionally influenced by religious authorities, such as the High Islamic Council, as well as the promise of patronage appointments or other benefits in exchange for political support.

Insecurity in the country has restricted people's ability to freely make political choices, especially in northern and central Mali. During the 2016 local elections, 58 communes were not able to participate in the elections because of violence in the region, and some polling stations were also attacked. The December 2017 regional elections were postponed until 2018 because various armed groups objected to the timing.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No law limits the political rights of minorities, and no single ethnic group dominates the government or security forces. Tuareg pastoralist groups in the north have historically occupied a marginal position in national political life, but members from these groups have positions in the cabinet, and hold at least 16 National Assembly seats.

Societal attitudes can discourage women from participating in political processes. Only about 14 percent of candidates in the 2013 legislative elections were women, and women occupy less than 10 percent of National Assembly seats.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The president and national assembly members were freely elected in the 2013 national elections. The prime minister is generally able to set national policy, and the parliament to enact new laws. However, the executive branch has exhibited influence on the other branches of government. For instance, in 2016, President Keïta established a committee to draft revisions to the 1992 constitution. Despite protests from opposition groups that the revision would strengthen the president's powers, the bill was adopted by the parliament in June 2017. However, the scheduled July referendum on the changes was indefinitely postponed amid public protests.

The volatile security situation has also affected the ability of government to effectively operate in northern and central Mali, but there was some improvement in 2017. The establishment of all interim authorities in five troubled administrative regions (Kidal, Gao, Menaka, Timbuktu, and **Taoudéni**) between February and April, despite some initial contestation, marked a step towards improving governance in the former strongholds of the Tuareg rebellion. The governor of Kidal, Sidi Mohamed Ag Ichrach, returned to office in September after an absence of more than three years, after a ceasefire agreement took effect.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a problem in government, notably in public procurement. Bribery and embezzlement of public funds is common and impunity for corrupt officials is the norm. The Office of the Auditor General is an independent office responsible for analyzing public spending, but despite identifying sizable embezzlement cases, very few prosecutions have been made.

Some efforts were made in 2017 to deter corruption. In March, 15 finance and equipment directors were removed from their posts within the Finance Ministry as part of an anticorruption effort. Also in March, the Central Office for the Fight against Illegal Enrichment was formed to organize anticorruption activities.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain generally opaque. Mali does not have a comprehensive freedom of information regime, although numerous laws do provide for public access to some official documents and information. However, such laws are replete with extensive and vague exceptions, and journalists have faced obstacles when attempting to obtain information about the military in particular.

CIVIL LIBERTIES: 27 / 60 (–1)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (–1)

D1. Are there free and independent media? 2 / 4 (–1)

The media environment in Mali's capital, Bamako, and in the rest of the south is relatively open, though there are sporadic reports of censorship, self-censorship, and threats against journalists. Reporting on the situation in the north remains dangerous due to the presence of active militant groups.

Defamation is a crime that can draw fines or prison time. In April 2017, Ammy Baba Cissé of *Le Figaro* was sentenced to six months in prison after being convicted of defaming the president of the National Assembly.

Intimidation of journalists, including death threats, were reported frequently in 2017, with incidents often coming in connection with reporting on constitutional referendum scheduled for July, or the upcoming 2018 general elections. In July, the influential blogger, Madou Kanté, who was known for his criticism of political corruption and had been highly critical of the 2017 constitutional reforms, was shot in the chest, which some claimed was an assassination attempt. He survived the attack, and it was unclear whether anyone had been arrested in connection with it.

Additionally, the government began restricting media licenses in 2017 and closed approximately 50 radio stations in June for operating without a license, shortly before planned protests against the constitutional referendum.

Score Change: The score declined from 3 to 2 due to the closure of radio stations and increasing intimidation of journalists ahead of a planned constitutional referendum and 2018 general elections, and the nonfatal shooting of a blogger known for reporting on corruption.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed in Mali, which is a secular state, and discrimination on the basis of religion is prohibited. The population is predominantly Sunni Muslim, and Sufism plays a role in the beliefs of most residents. Armed extremist groups have terrorized northern and central Mali, attacking those who they perceive as failing to follow their interpretation of Islam. They have also prevented traditional religious ceremonies including weddings and baptisms, and have occasionally carried out targeted kidnappings and violence against Christians.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is upheld in areas with a consolidated government presence, but restricted in areas with a heavy militant presence. However, the security situation has improved in recent years, allowing a freer environment in many places.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion has grown more open and free as violence and political instability have ebbed. However, the government temporarily restricted social media use in 2017, in an apparent attempt to prevent activists from organizing protests against constitutional revisions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but participants in public gatherings risk violence by state security forces. In December 2017, one person was killed and 15 were injured after the police opened fire on demonstrators in Komsila who had blocked the city hall for a week in an attempt to force the mayor's resignation.

Between June and August 2017, thousands protested against the government's proposed constitutional changes under the platform "Touche pas à ma Constitution," or "Don't touch my constitution." The movement prompted the president to indefinitely postpone the scheduled constitutional referendum.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Many nongovernmental organizations (NGOs) operate in Mali without state interference. However, large, established NGOs with ties to the political elite are influential, and can overshadow smaller and more innovative groups, particularly in the competition for funding. Furthermore, ongoing lack of security in some parts of the country hampers NGO efforts to provide aid and services to returning refugees and others affected by instability in those regions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution guarantees workers the right to form unions and to strike, with some limitations for essential services workers, and requirements involving compulsory arbitration. The government has broad discretionary power over the registration of unions and recognition of collective bargaining, and the authorities do not effectively enforce laws against antiunion discrimination.

F. RULE OF LAW: 6 / 12

F1. Is there an independent judiciary? 2 / 4

The judiciary is beholden to the executive, despite constitutional guarantees of judicial independence. Judges are appointed by the president, while the minister of justice supervises both law enforcement and judicial functions. Additionally, the overall efficiency of the judicial system remains low. Militant attacks against judicial personnel have prompted some judges to vacate their posts. In November 2017, Malian judge Soungalo Koné was kidnapped in central Mali by armed men who asked for the release of detained militants in exchange for his freedom.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are inconsistently upheld, and a 2017 AfroBarometer survey reported that the police and justice system are perceived to be the least trustworthy institutions in the country. Detainees are not always charged within the 48-hour period set by law, and arbitrary arrests are common. Since a deadly 2015 hotel attack in Bamako, a national state of emergency has remained in force, and was extended in October 2017 for one more year. The emergency state gives more authority to security services to search homes without a warrant, detain suspects, and restrict protests.

The trial of Amadou Sanogo, the former army captain who staged a military coup in Mali in 2012, and more than a dozen codefendants began in late 2016 on charges related to the abduction and killing of 21 soldiers. The trial was quickly adjourned until 2017, and has yet to reopen. In November, Sanogo and the other defendants began a hunger strike in prison, denouncing the duration and conditions of their detention. In August, Aliou Mahamar Touré—a leading figure in the Al-Qaeda offshoot known as the Movement for Oneness and Jihad in West Africa (MUJAO) and the former head of a rebel-controlled Islamic police force in the northern city of Gao—stood trial for aggravated assault and endangering state security. He was sentenced to 10 years in prison, though rights activists said the charges filed against him did not reflect the severity of the crimes he stood accused of, which included amputating the limbs of those accused of stealing and whipping women deemed to be dressed immodestly.

The Truth, Justice and Reconciliation Commission created in 2014 is responsible for investigating human rights violations committed since 1960, but is restricted by the rise

of terrorist activities and intercommunal tensions within Mali's borders. However, Human Rights Watch (HRW) noted that the commission received more funding in 2017, opened regional offices, and took thousands of witness statements regarding potential human rights violations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Islamist militant groups not party to Mali's peace agreement continued to carry out acts of violence against civilians in the northern and central regions in 2017. Additionally, in February 2017, a Colombian nun, Gloria Cecilia Narvaez Argoti, was kidnapped from a health center in the southern region of Karangasso, and as of the end of the year was being held by one such group, Support to Islam and Muslims (JNIM). And in June, at least five people were killed in a jihadist attack on a tourist resort popular with foreigners outside of Bamako.

A September report by HRW described significant human rights violations committed by Malian armed forces in the name of the fight against Islamist armed groups, including extrajudicial killings, enforced disappearances, and torture.

Prisons are characterized by overcrowding, insufficient medical care, and a lack of proper food and sanitation. The government made some effort in 2017 to improve conditions by holding staff trainings and building a new prison.

Scores were killed and many more were displaced in 2017 in incidents of intercommunal violence. Ongoing instability has contributed to the spread of organized crime, and accompanying violence and kidnappings.

In March and April 2017, Mali held a weeklong Conference of National Understanding in which some 300 government officials, opposition members, representatives of armed groups, and civil society representatives worked toward a final agreement that would end the country's separatist conflict. However, some groups boycotted most of the conference, and a lack of trust between the participants prevented constructive dialogue. The talks were mandated by the 2015 peace accord.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Members of a northern caste known as black Tamasheqs face societal discrimination, including slavery-like treatment and hereditary servitude. Authorities sometimes deny them official documents or discriminate against them in housing, schooling, and police protection.

Same-sex sexual acts are legal, but LGBT (lesbian, gay, bisexual, and transgender) people face discrimination, including cases of violence from family members meant as a corrective punishment.

Although equal rights are provided for in the constitution, the law does not provide for the same legal status for women and men, and women are required by law to obey their husbands. Sexual harassment is not prohibited by law and is a common practice in schools and the workplace.

Conditions in northern Mali have left many refugees unable or unwilling to return, although the government did report that approximately 1,600 refugees returned to Mali

in 2017. However, continuing insecurity in the region complicated resettlement. According to the UN, there were more than 130,000 Malian refugees outside the country and almost 40,000 people displaced inside the country as of December 2017.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement and choice of residence remain affected by insecurity, especially in northern and central Mali. HRW reported that in 2017, over 150,000 children in northern and central Mali did not have access to education because of the lack of security.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Citizens have the right to own property and conduct business activity, but these rights are not consistently respected and widespread corruption hampers normal business activities. Notably, it is generally necessary to pay bribes in order to operate a business.

Traditional customs sometimes undermine the right of women to own property. The law discriminates against women in matters of marriage, divorce, and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence against women are widespread, and most such crimes go unreported. There are no specific laws prohibiting spousal rape or domestic violence. Female genital mutilation or cutting is legal and commonly practiced in the country. LGBT couples cannot adopt children in Mali.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Although trafficking in persons is a criminal offense, prosecutions are infrequent. Many judicial officials remain unaware of the antitrafficking law, and the police lacked adequate resources to combat trafficking. Traditional forms of slavery and debt bondage persist, particularly in the north, with thousands of people estimated to be living in such conditions.

Although the government has taken steps to eliminate child labor, it is a significant concern, especially in the agricultural and artisanal gold-mining sectors. Armed groups also regularly recruited and used child soldiers, and in 2017, the government reportedly assisted militia groups that included child soldiers.

Source URL: <https://freedomhouse.org/report/freedom-world/2018/mali>