

Freedom of the Press 2013 - Mali ("Draft")

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Status: Partly Free

Legal Environment: 13

Political Environment: 21

Economic Environment: 12

Total Score: 45

Status change explanation: Mali declined from Free to Partly Free due to the repression of the media in the south as a result of the March military coup, and the near-complete suppression of freedom of the press in the north, which was taken over by Islamist militants for most of 2012. This included a temporary suspension of the constitution, arbitrary arrests of journalists, the takeover of the state broadcaster, and restrictions on reporting on the coup in the south; the closure or takeover of nearly all outlets and the imposition of Islamic law in the north; and harassment and attacks on journalists in both regions.

Mali's political and media environments have long been among the freest in Africa. This status was severely damaged in 2012 due to the combined effects of a militant takeover of the north of the country beginning in January, followed two months later by a military coup that overthrew its democratically elected government based in the south. In January, a predominantly Tuareg rebel group, the National Movement for the Liberation of the Azawad (NMLA), and local and foreign Islamist groups – Ansar Dine and the Movement for Unity and Jihad in West Africa (MUJAO), respectively – took control of the towns in the north and declared the region's independence from the government in the capital, Bamako. In March, soldiers led by Captain Amadou Sanogo, accusing President Amadou Toumani Touré of mishandling the northern rebellion, led a coup deposing the president just one month before the next scheduled

election. Meanwhile, the Islamist groups gained the upper hand in the north and imposed Sharia (Islamic law). These events had a devastating impact on Mali's traditionally free press, bringing reporting restrictions, intimidation and arrests of journalists, and the closure of several outlets. By the end of 2012, the 10 percent of Mali's population living in the north remained under a severely restricted media environment, while the ability of journalists to practice freely in the rest of the country was gradually returning to pre-coup levels, although some problems remained.

The right to free speech is guaranteed under Article 4 of Mali's 1992 constitution. Despite severe criminal punishments for libel that still exist under a 1993 law, no journalists have been prosecuted under the law since 2007. Sanogo temporarily suspended the constitution following the coup in March; however, in response to local and regional pressure, he reinstated it a few weeks later. Sanogo pledged that the move would make way for democratic elections, but no vote had been held by the end of 2012. In the north, the constitution remained suspended at year's end.

Mali has never had legislation guaranteeing access to information. In the months following the coup, information was particularly difficult to obtain in the south, as Sanogo and his supporters maintained restrictions on news and banned interviews with the deposed president. Despite Mali's low level of internet penetration, these restrictions prompted Bamako residents, as well as local and international journalists, to turn to Twitter, particularly in the first few days after the coup, to post and obtain updates on the political situation.

The two existing bodies tasked with regulating the media – the High Communications Council (HCC) and the Committee for Equal Access to the State Media – have long lacked the capacity to mediate press affairs due to insufficient funding. In 2009, the government invested in building a Maison de la Presse, an umbrella for existing press unions, providing journalists with facilities to work, training centers, and a body to help centralize the protection of journalists' rights. Journalism training, led mainly by regional and international nongovernmental organizations such as the Media Foundation for West Africa (MFWA) and International Media Support (IMS), was stepped up in 2011 to help journalists prepare for the planned election in 2012. However, the coup in March destabilized the delicate new Maison de la Presse, resulting in a leadership crisis as heads of the various smaller journalism unions vied for power. This led to stagnation in the agency's activities and restrictions in its ability to represent the interests of journalists. There were also reported increases in unprofessional behavior among journalists in the south, with some inciting hatred against Tuareg ethnic groups in Bamako.

One of the first targets of the coup leaders was the office of the state broadcaster, the Malian Office of Radio and Television Broadcasting

(ORTM), which was seriously damaged on the day of the coup and, for three months, transformed into the headquarters of the military. During the coup itself, on March 22, it was taken off the air, and allowed to play only music when it resumed broadcasting a few hours later. Sanogo and his supporters used the station to broadcast their first post-coup messages. ORTM employees were permitted to return to work three weeks later, but operations remained under the authority of the military.

From 2008 to 2011, there had been virtually no reports of journalists being harassed in the course of their work in Mali. After the March 2012 coup, a number of journalists, particularly newspaper editors, were arrested, detained, and abused by security officials in Bamako. In June, Habi Baby, the editor of the weekly *Caravane*, was detained for nearly two weeks after he was accused of links to the separatist rebels in the north. In July, publisher Saouti Labass Haïdara of *L'Indépendant* newspaper, was seized by gunman who had stormed the paper's offices in Bamako; he was later treated for injuries at a local hospital. The paper had recently printed stories critical of the interim government's handling of the situation in the north. Numerous such incidents, frequently involving physical abuse and confiscation of equipment and materials, occurred in Bamako in the first half of 2012; however, all were eventually released without charge and no such incidents were reported after August. Local journalists alleged that such incidents indicated an intentional effort on the part of the military to monitor the operations of journalists, including wiretapping, in the months directly following the coup. Entry visas to Mali were hard to come by, though this was primarily due to the breakdown of the bureaucratic system of the state.

The state of the media in the north was drastically different from the rest of the country in 2012 following the rebellion in January. The media were directly targeted by the NMLA and the Islamists throughout the year, leading to a near-complete shutdown of all independent outlets in the region. Radio – the most important medium of information in the region due to its isolation and high illiteracy rate – was specifically targeted, with both private stations in the cities and local community radio stations destroyed, forcibly closed, or co-opted by the militants. In April, there was only one privately owned radio station in the north's largest town, Timbuktu, that was operating with a semblance of independence. The state broadcaster, the most widely listened to radio station in the region, came under the complete control of the militants, though it had previously functioned primarily as a government mouthpiece. The few cybercafés that existed in the north were shut down, and terrestrial TV was largely inaccessible. Those journalists who did not flee were either physically harassed and intimidated into silence or co-opted by bribes – allegedly as high as one year's salary for a month's work – to become part of the movement's propaganda network. In one example, MUJAO militants in August attacked radio journalist Malick Aliou Maïga and ordered that his station, Radio Adar Khoïma, be taken off the air in the town of Gao. While

the north has long been difficult to access due to the poor state of the roads, travel to and from the region was further restricted in 2012 by both the militants and the military leadership in the south, making mobile phones the only reliable way of getting information about the situation in the region. In December, a reporter and a cameraman from Qatari-based satellite network Al-Jazeera were detained while attempting to cross into the north. At the end of 2012, the region's media remained under severe restrictions, with limited freedom of speech and access to information.

Mali has long boasted a diverse media environment, and at the beginning of 2012 there were some 300 FM radio stations operating throughout the country, as well as 40 newspapers and magazines that published on a regular basis, though few other than the state-owned *L'Essor* boasted circulations that exceeded 1,000 copies. Following the coup, numerous newspapers in the capital ceased distribution, largely due to poor infrastructure and a lack of access to newsprint; by the end of the year, only 30 dailies and weeklies were reportedly in operation. The only domestic television station with national reach is the state broadcaster, ORTM, which normally broadcasts progovernment programming. ORTM remained under the control of the military in the south and closed in the north at the end of the year. Plans announced in 2011 to launch a new public channel targeting youth were curtailed and the station was never launched. Radio stations in the south were largely able to operate as usual by the end of 2012, though with increased self-censorship due to the military's increased monitoring and harassment.

Only 2 percent of Malians were able to access the internet in 2011, one of the lowest levels in West Africa. However, with the attention that Twitter received in the wake of the coup and the reliance on mobile phones for transmitting information in the north, new technologies are increasingly shaping the media environment in Mali.