



## Freedom in the World 2016 - Mali

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Freedom Status: Partly Free

Aggregate Score: 45

Freedom Rating: 4.5

Political Rights: 5

Civil Liberties: 4

### Quick Facts

**Population:** 16,749,000

**Capital:** Bamako

**GDP/Capita:** \$706.70

**Press Freedom Status:** Partly Free

**Net Freedom Status:** N/A

### OVERVIEW

In January 2015, President Ibrahim Boubacar Keïta named Modibo Keïta as the country's new prime minister to replace Moussa Mara, who resigned along with his cabinet. The change was attributed to the apparent unwillingness and inability of the Mara government to combat corruption, and to the slow progress of peace talks to end the Tuareg-led rebellion in the north. The appointment of a new cabinet held the promise of resolving the conflict, as the new prime minister had been a top government negotiator in the peace talks during 2014.

Rebel groups signed a final peace agreement with the government in June. The deal, negotiated under the auspices of the United Nations and Algeria, called for the creation of regional elected bodies but stopped short of establishing federalism for northern Mali, which was the main demand of the rebels. Although the agreement was an important step, there was little progress during the year on the disarmament of the various groups operating in the region, including multiple Islamist militant factions that were not involved in the peace process. Insecurity and limited access continued to hinder efforts to provide basic services and ensure respect for the rule of law in northern Mali.

### POLITICAL RIGHTS AND CIVIL LIBERTIES

**Political Rights:** 17 / 40

### *A. Electoral Process: 6 / 12*

According to the constitution, the president, who appoints the prime minister, is elected by popular vote and can serve up to two five-year terms. Members of the 160-seat unicameral National Assembly serve five-year terms, with 13 seats reserved to represent Malians living abroad.

The constitution was suspended after a 2012 military coup, but it was eventually restored, leading to elections in 2013. In a two-round presidential election in July and August, Ibrahim Boubacar Keïta, a former prime minister known by his initials, IBK, defeated Soumaïla Cissé, a former finance minister, garnering 40 percent of the vote in the first round and nearly 78 percent in the runoff. IBK's Rally for Mali (RPM) party won 66 seats in legislative elections held in November and December 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. Sixteen smaller parties and four independents took the remainder.

International observers found that both elections were relatively well conducted in light of the fragile security situation, which led to very low turnout in parts of the north. They determined that the Independent National Electoral Commission (CENI), which supervises the election process and ensures compliance with the law, and the Constitutional Court, which must certify all results before they become official, had each properly discharged its duties. A new electoral framework, which had been prepared for elections that were canceled due to the 2012 coup, as well as new biometric voter lists streamlined the process. However, hundreds of thousands of potential voters were likely unable to participate due to factors including conflict-related displacement, delays in the distribution of electoral identity cards, and a voter registry that was based on a 2009 census and had not been updated to include citizens who subsequently turned 18.

In September 2015, the government announced that regional and municipal elections originally scheduled for October would be postponed, without specifying a new date. The elections had already been pushed back twice since March 2014. Opposition parties supported the delay, however, citing insecurity, a lack of administrative staff in the north that has held up the revision of voter lists, and the piecemeal return of refugees, most of whom were still living in neighboring countries.

### *B. Political Pluralism and Participation: 7 / 16*

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. There are more than 100 registered political parties in Mali, though only about 20 are active.

Electoral competition is open to opposition forces. The 2013 defeat of an Islamist insurgency in the north and the removal of the military junta in the south led to circumstances in which political pluralism could return and parties could campaign for that year's elections on a fairly equal footing. A 2014 law institutionalized specific privileges for opposition parties in the parliament, such as the ability to choose an official leader of the opposition who must be informed and consulted by the president and prime minister on matters of national import.

No single ethnic group dominates the government or security forces. However, long-standing tensions between the more populous nonpastoralist ethnic groups and the Moor and Tuareg pastoralist groups in the north have fueled instability over the decades, with the northerners often occupying a marginal position in national political life and expressing frustration with government neglect or domination. The 2012 northern rebellion was complicated by the involvement of Islamist militants, who were eventually driven out of population centers with international assistance; the Tuareg separatist component of the insurgency later entered peace talks with the

government. Precarious security conditions continue to limit political activity and participation in parts of the north.

### *C. Functioning of Government: 4 / 12*

The restoration of civilian rule with an electoral mandate in 2013 has improved the governance situation somewhat. However, state authority in parts of the north is still tenuous, and corruption remains a problem in government, public procurement, and both public and private contracting.

An influx of foreign assistance since 2013 may be crucial for economic development and stability, but it could have a corrosive effect on transparency. Despite public pronouncements that he intends to fight corruption, IBK has been accused of indulging in lavish and unnecessary expenses during his tenure as prime minister from 1994 to 2000. More recently, IBK has been criticized for appointing family members to key posts. His son, Karim Keita, is a parliamentary deputy and president of the parliamentary defense committee. Karim's father-in-law, Issiaka Sidibé, is president of the National Assembly. Both men were accused in the Malian press of inexperience and incompetence during 2015.

Mali was ranked 95 out of 168 countries and territories assessed in Transparency International's 2015 Corruption Perceptions Index.

**Civil Liberties:** 28 / 60 (+1)

### *D. Freedom of Expression and Belief: 12 / 16 (+1)*

Mali's media were considered among the freest in Africa before the 2012 rebellion and coup. An unprecedented number of journalists were illegally detained and tortured by the military and Islamist militants during 2012, and two French journalists were abducted and killed in the northern town of Kidal in 2013. Reporting on the situation in the north remains dangerous; in August 2015, an Islamist militant group issued a series of threats to foreign journalists working in the region. However, overall conditions for the media have improved over the past two years.

The capital and the rest of the south are once again a relatively open media environment, with sporadic reports of censorship and self-censorship. In March 2015, the authorities blocked an issue of the newsmagazine *Le Reporter* from being printed after its staff refused a government request to remove two articles that were critical of a cabinet minister and Karim Keita. Internet penetration, though growing, remains low at 7 percent; news websites are popular with the educated elite.

Mali's population is predominantly Sunni Muslim, and Sufism plays a role in the beliefs of most residents. Although the state is secular and religious minorities are protected by law, the High Islamic Council has a significant influence over politics, especially through support for political candidates and parties. In the wake of a November 2015 terrorist attack on a Bamako hotel, Prosecutor General Daniel Tessougué accused the head of the High Islamic Council, Mahmoud Dicko, of condoning terrorism during a media interview. Tessougué also called for a crackdown on religious extremism in Mali, in part through greater scrutiny of mosques' financing. After a public outcry, the prosecutor general was removed from office in late December.

Academic freedom has partly recovered since 2012, when it was harshly suppressed in areas held by Islamist militants and other armed groups. Private discussion has similarly grown more open and free as violence and political instability have ebbed.

### *E. Associational and Organizational Rights: 6 / 12*

The constitution guarantees freedom of assembly. While conditions have improved in practice since 2013, the risk of violence during public gatherings persists. In January 2015, protests erupted against the presence of UN peacekeepers in the northern city of Gao. The demonstration turned violent, and UN troops fired on protesters, killing three and injuring four others. A UN inquiry found in April that the troops had "used unauthorized and excessive force." Following the November terrorist attack in Bamako, the government declared a state of emergency, which allows it to ban public gatherings. The measure was extended twice and remained in force at the end of the year, though there were no reports that it was used to block protests.

Many nongovernmental organizations (NGOs) operate in Mali without state interference. However, observers have noted the prominent role of large, established NGOs with ties to the political elite, which can overshadow smaller and more innovative groups, particularly in the competition for funding. Ongoing lack of security in some parts of the country also limits NGO activity.

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

#### *F. Rule of Law: 6 / 16*

The judiciary is beholden to the executive, despite the fact that the constitution guarantees judicial independence. Judges are appointed by the president, while the minister of justice supervises both law enforcement and judicial functions. The president, as head of the High Judicial Council, replaced Prosecutor General Tessougué after his public clash with the head of the High Islamic Council in December 2015. Tessougué had also been known for his aggressive pursuit of cases related to corruption and the former military junta.

The overall efficiency of the judicial system remains low. Traditional authorities settle the majority of disputes in rural areas. Detainees are not always charged within the 48-hour period set by law, and police brutality has been reported.

In a sign of relative judicial independence from military control, the 2012 coup leader, Amadou Sanogo, was arrested in November 2013. Sanogo was initially charged only with kidnapping, but the charge was changed to conspiracy to murder following the discovery of approximately 21 bodies in mass graves; the dead were believed to be mutinous soldiers who had opposed Sanogo and were summarily executed in 2012. As of December 2015, Sanogo remained in detention pending trial.

However, the justice system – which was already out of reach to many ordinary Malians – has largely failed to address grave crimes committed during the political unrest and conflict of 2012-13, and the United Nations and other groups have continued to report human rights abuses by security forces and militants in the north, where sporadic violence persisted even after the June 2015 peace agreement. The year's most dramatic attack occurred in the south in November, when Islamist militants stormed a luxury hotel in Bamako, took scores of hostages, and killed some 20 people – most of them foreigners – before dying as government forces recaptured the building.

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 with the aim of changing their sexual orientation or gender identity.

### *G. Personal Autonomy and Individual Rights: 4 / 16*

Freedom of movement and choice of residence remain affected by insecurity. During the intense fighting of 2012 and 2013, there was a significant increase in Malian refugees fleeing into neighboring countries. Despite a somewhat improved security situation in 2015, conditions in northern Mali left many refugees unable or unwilling to return. According to the United Nations, there were more than 130,000 Malian refugees outside the country and 60,000 people displaced inside the country as of December 2015.

Mali's economy has a large informal sector. Citizens have the right to own property and conduct business activity. Nonetheless, the economy remained weak in 2015.

Women are underrepresented in senior positions in business and politics, with just 13 seats in the National Assembly. A woman served as prime minister for the first time in 2011-12. In November 2015, the National Assembly passed a bill mandating that the number of executive appointments to government positions for either gender must not be less than 30 percent, and that the representation of either gender must not exceed 70 percent on party lists for legislative elections.

The law discriminates against women in matters of marriage, divorce, and inheritance. Rape and domestic violence against women are widespread, and most such crimes go unreported due to societal pressure. Female genital mutilation or cutting is legal and commonly practiced in the country.

Although trafficking in persons is a criminal offense, prosecutions are infrequent. Mali remains a source, destination, and transit country for the purposes of sexual exploitation and forced labor. Traditional forms of slavery and debt bondage persist, particularly in the north, with thousands of people estimated to be living in such conditions.

Child labor is a significant concern, especially in the artisanal gold-mining sector. Regulation is challenging because of the decentralized nature of the mining.

### **Scoring Key: X / Y (Z)**

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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