

# Mali - Human Rights Scorecard <sup>1</sup>

Mali, officially the Republic of Mali, is a landlocked country in West Africa. Mali is the eighth-largest country in Africa, with an area of just over 1,240,000 square kilometres. The population of Mali is 14.5 million. Its capital is Bamako. Extremist Muslim groups and separatist groups occasionally violently overrun government security forces, and the government's control in the northern and eastern parts of the country is sometimes tenuous.<sup>2</sup>

**Official language:** French

**Ethnic groups:** 50% Mande; 17% Fula; 12% Voltaic; 6% Songhai; 10% Tuareg and Moor; 5% Other

**Government:** Unitary semi-presidential republic

- President: Ibrahim Boubacar Keita

- Prime Minister: Modibo Keita

**Death penalty:** Abolitionist in practice

**Population:** 15.3 million

**Life expectancy:** 54.6 years

**Under-5 mortality:** 115 per 1000

**Adult literacy:** 31 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>3</sup>

There are many reports that the government and its agents carried out arbitrary killings.

### Freedom from disappearance



#### Largely disrespected <sup>4</sup>

There continue to be reports of politically motivated disappearances in Mali.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>5</sup>

While the constitution prohibits torture and related practices, there are reports that soldiers used them against detainees with suspected links to extremist groups.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>6</sup>

Despite the law's prohibitions on arbitrary arrest, the government continues to carry out arbitrary arrests and detentions.

### Freedom from denial of fair public trial



#### Largely disrespected <sup>7</sup>

The constitution provides for an independent judiciary. However, the executive branch exerts control over the judicial system. Corruption and bribery are rampant and often affect the fairness of trials.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Respected <sup>8</sup>

The law prohibits such actions, and there are no reports of the government and security forces committing such violations. Nevertheless, this may be because the government lacked the technology or sophistication to perform surreptitious surveillance.

## Section 2: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 39.83, Rank: 122 / 180 – Highly controlled, limited or intimidated**<sup>10</sup>

The media was relatively free until the 2013 when extremist forces forcibly took several town. Since then, authorities have often harassed the media, citing security concerns. Northern Mali is particularly dangerous as journalists have been held hostage and murdered.

### Freedom from academic censorship



**Respected**<sup>11</sup>

There were no reported government restrictions on academic freedom.

### Freedom of peaceful assembly and association



**Respected**<sup>12</sup>

The constitution provides for freedom of assembly, which the government generally respects.

### Freedom of religion



**Respected**<sup>13</sup>

Mali is a secular state with religious freedom, and any religious discrimination is punishable with imprisonment. The government investigates and prosecutes extremist individuals who enforce harsh versions of sharia law and in cases where minorities are threatened.

### Protection of refugees and stateless persons



**Respected**<sup>14</sup>

The government generally cooperates with UNHCR in providing humanitarian assistance and protection to refugees and asylum seekers.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**4/ 7 – Partly free**<sup>17</sup>

While the north is dangerous for journalists, the south has a relatively open media environment. Freedom of movement and choice remain affected by insecurity. While freedom of assembly is permitted, there are often frequent outbursts of violence.

## Section 3: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**5/ 7 – Partly free**<sup>19</sup>

Many potential voters are unable to participate due to displacement, delays in electoral identity cards, and a voter registry based on an out-dated census. Political pluralism flourishes as more than 20 parties are active. State authority is minimal in the north and corruption remains widespread.

## Section 4: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 35%, Rank: 95 / 168 – Highly corrupt**<sup>21</sup>

In Mali, anti-corruption laws are not enforced. Thus, corruption remains a significant problem according to Transparency International.

## Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### Respected<sup>22</sup>

Many domestic and international human rights groups operate without government restriction. Government officials are generally cooperative and responsive to their views.

## Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### Score: 59.9%, Rank: 137 / 145 – Very unequal rights<sup>24</sup>

Domestic violence, sexual harassment and rape remain a widespread problem, as the government does not enforce penalties for offenders. Women do not have the same legal status as men, particularly concerning divorce and inheritance. Women face economic discrimination as well.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### Score: 51.5%, Rank: 142 / 165 – Slightly vulnerable<sup>26</sup>

The constitution provides for free universal education. Nevertheless, many children do not attend school due to various factors, such as the cost of uniforms and supplies. In addition, child abuse, underage marriage, child soldiers, sexual exploitation and infanticide are widespread problems.

### Rights of persons with disabilities



#### Partially respected<sup>27</sup>

The law does not specifically protect the rights of persons with disabilities, however the government has tried to provide some resources for disabled persons.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Largely disrespected<sup>28</sup>

There is widespread societal discrimination against Black Tuargues, who are often subject to slavery-like practices and servitude relationships. Traditional discrimination continues against albinos.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Partially respected<sup>29 30</sup>

There are no laws specifically discriminating against sexual orientation or gender identity and same-sex sexual acts are legal. However, there are no LGBT organizations and gay couples are prohibited from adopting children.

## Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

### Rights to freedom of association and to collective bargaining



#### Partially respected<sup>31</sup>

Most workers have the right to form and join unions, bargain collectively, and take strike action – however there are some government restrictions on these rights.

### Freedom from forced or compulsory labour



#### Partially respected<sup>32</sup>

Despite the legal prohibition on forced or compulsory labour, forced labour frequently occurs. The judiciary has been reluctant to intervene in forced labour cases.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>33</sup>

The labour law sets a minimum age of employment at 14, with safety and health restrictions for children. However, authorities largely ignore child labour laws. Child labour is a serious problem as half of children work, especially in the agricultural sector and the informal economy.

## Right to acceptable conditions of work



### Partially respected<sup>34</sup>

There is a minimum wage, but it does not apply to all workers. There are occupational safety and health standards. However authorities do not effectively enforce these laws. Many employers do not comply with regulations regarding wages, hours, and benefits.

## Right to employment



### 8.5% - High unemployment<sup>35</sup>

The high unemployment rate in Mali remains steadily high.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed July 20, 2016.

<https://www.amnesty.org/en/documents/act50/001/2014/en/>.

<sup>3</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016.

<http://www.state.gov/documents/organization/252915.pdf>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "Mali. Reporters Without Borders: For Freedom of Information. Accessed July 20, 2016. <https://rsf.org/en/mali>.

<sup>11</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016.

<http://www.state.gov/documents/organization/252915.pdf>.

<sup>12</sup> Ibid. U.S. Department of State.

<sup>13</sup> "Mali." International Religious Freedom Report for 2014. Accessed July 22, 2016. <http://www.state.gov/documents/organization/238448.pdf>.

<sup>14</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016.

<http://www.state.gov/documents/organization/252915.pdf>.

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed July 20, 2016

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>17</sup> "Mali." Freedom in the World 2016: Mali. Accessed July 22, 2016. <https://freedomhouse.org/report/freedom-world/2016/mali>.

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed July 20, 2016. <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>19</sup> "Mali." Freedom in the World 2016: Mali. Accessed July 22, 2016. <https://freedomhouse.org/report/freedom-world/2016/mali>.

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "Mali." Corruption by Country. Accessed July 22, 2016. <https://www.transparency.org/country/#MLI>

<sup>22</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016. <http://www.state.gov/documents/organization/252915.pdf>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "Mali." World Economic Forum. Accessed July 22, 2016. <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=MLI>.

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed July 20, 2016. <http://www.kidsrightsindex.org/>

<sup>27</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016. <http://www.state.gov/documents/organization/252915.pdf>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. Accessed July 20, 2016. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>30</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>31</sup> "Country Reports on Human Rights Practices for 2015 Mali." U.S Department of State. Accessed July 20, 2016. <http://www.state.gov/documents/organization/252915.pdf>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>35</sup> "Global Employment Trends." International Labour Organization. Accessed July 22, 2016. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).