

# Targeted assessment of Mali

Assessment of progress in  
implementing Requirements 1.1, 1.3,  
2.2, 2.3 & 2.4 of the 2019 EITI  
Standard

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## Acronyms

AfDB	African Development Bank
BCEAO	Banque Centrale des Etats d'Afrique de l'Ouest
BO	Beneficial Ownership
CSO	Civil Society Organisation
ECOWAS	Economic Community of West African States
EITI	Extractive Industries Transparency Initiative
GDP	Gross Domestic Product
GFS	Government Finance Statistics
IA	Independent Administrator
IMF	International Monetary Fund
MCAS	Mining Cadastre Administration System
MSG	Multi-Stakeholder Group ( <i>Comité de Pilotage ITIE Mali</i> )
NA	Not Applicable
NGO	Non-Governmental Organization
OHADA	Organisation pour l'Harmonisation en Afrique du Droit des Affaires
PEP	Politically Exposed Person
PWYP	Publish What You Pay
SOE	State-Owned Enterprise
TOFE	Tableau des Operations Financières de l'Etat
ToR	Terms of Reference
VAT	Value Added Tax
UEMOA	West Africa Economic and Monetary Union
USD	United States Dollars
XOF	West African CFA franc

## Executive summary

The targeted assessment of Mali's progress in implementing Requirement 1 of the EITI Standard commenced on 1 October 2023. The assessment was mandated by the EITI Board in accordance with Article 8, Section 4 of the 2019 EITI Standard.<sup>1</sup>

Stakeholder consultations were held virtually on 6-10 November 2023. The initial targeted assessment was finalised on 15 January 2024 and presented at the 59<sup>th</sup> EITI Board meeting in Toronto on 29 February 2024. Ahead of the 60<sup>th</sup> Board meeting in Geneva, the International Secretariat conducted a three-day fact-finding mission in Bamako, Mali, from 12-14 June 2024, preceded by virtual and limited consultations with stakeholders from 8-22 May 2024. The assessment was finalised on 28 June 2024. The targeted assessment suggests that Requirements 2.2 and 2.4 on contract and license allocations and contract disclosure are 'partly met', Requirements 1.3 and 2.3 civil society engagement and license register are 'mostly met', and Requirement 1.1 on government engagement is 'fully met'.

## Main findings and recommendation

**Requirement 1.1: Government engagement.** The Secretariat's assessment is that Requirement 1.1 is fully met. The Secretariat's view is that the objective of ensuring a full, active and effective government lead for EITI implementation, as a means of facilitating all aspects of EITI implementation, has been fulfilled in the period under review. Based on a desk review end 2023, the International Secretariat had noted weaknesses in the government's operational engagement in the EITI process. However, following a fact-finding mission in Bamako in June 2024, the International Secretariat found improvements in Mali's government engagement in EITI. Evidence of this improved engagement include the organisation of a meeting of the EITI national oversight committee in April 2024 chaired by the Prime Minister, with public reaffirmation of the commitment to EITI broadcasted on the national television, the reflection of EITI disclosure requirements in the updated mining code (article 6, 23 and 207) under the leadership of the new MSG chair Minister Keita, the appointment of a senior official as EITI National Coordinator following a merit based approach, as well as the timely publication of 2022 and 2023 EITI Reports in June 2024 which puts Mali in company of a small group of countries with such timely reporting. Given these stronger and more visible commitments from the Prime Minister, the Minister of Mines and the government as a whole, as well as the continued EITI implementation despite a challenging security situation, the Secretariat considers that Requirement 1.1 is fully met.

To strengthen implementation of Requirement 1.1, the government is expected to operationalise its commitment to the EITI and the implementation of the principles of transparency. The government should act on its high-level commitment to the EITI and its principles through the provision of technical and financial resources for all aspects of EITI implementation, in taking steps to overcome barriers to the EITI process and follow-up on EITI recommendations, and in

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<sup>1</sup> See [EITI Board oversight of EITI implementation | EITI](#), Article 8

establishing an enabling environment for civil society engagement in the EITI process and public debate on extractive industry governance.

**Requirement 1.3: Civil Society engagement.** The Secretariat's assessment is that Requirement 1.3 is mostly met. The Secretariat considers that the objective of full, active and effective civil society engagement in all aspects of the EITI process, including public debate on extractive industry governance, within an enabling environment has been mostly fulfilled and that Requirement 1.3 is mostly met. There was a split in opinions of stakeholders consulted on the fulfilment of the objective. Many stakeholders in Mali, from all three constituencies, strongly argued that the objective was considered met, and that any constraints on civil society's activities were caused by Islamist insurgents and foreign interference rather than government actions. Many CSOs consulted directly involved in the EITI process considered that their constituency had broadened to include more organisations and expand links within mining communities since the previous Validation. Based on a desk review prior to the June 2024 mission, the International Secretariat had noted further deterioration in the environment for civil society engagement, based on allegations of reprisals against critical CSOs, self-censorship related to armed groups, increased reporting requirements and increased restrictions on foreign funding. However, following a fact-finding mission in Bamako in June 2024, it is the International Secretariat's understanding based on stakeholder consultations that there is no evidence of licences being issued to armed groups, operating mining assets nor self-censorship on this topic. The international Secretariat also did not find evidence of restrictions to foreign funding, and in fact, development partners confirmed that they continue to support civil society in Mali. The International Secretariat found increased scrutiny and monitoring of civil society activities in the context of military transition, and while there were diverging views on the adherence to the civil society protocol when considering the broader context, the Secretariat's observation following the fact-finding mission is that the allegations of restricted civic space and censorship relate to criticism towards activities by the army and its partners and the press coverage of political parties. The Secretariat did not find these alleged constraints on civic space as having material effects on civil society members engaged in the governance of extractive resources. Nevertheless, the main issue with civil society engaged in the EITI process in Mali is its lack of adequate representation perpetuated by sitting CSO MSG members. There is strong division between CSOs inside the MSG and those outside of the MSG, who feel excluded from the EITI process, as the MSG membership for the civil society constituency had not substantially changed since 2007. Given that the International Secretariat did not find indications that there are constraints on civic space having material effects on civil society engagement in the governance of extractive resources, and that the main issue with civil society engaged in the EITI process in Mali is the lack of adequate representation, the international Secretariat recommends an assessment of mostly met. Corrective actions must urgently address the issue of representativity of the civil society constituency.

The MSG and civil society constituency do not appear to have comprehensively addressed the corrective actions related to civil society engagement from the previous Validation. Document review and stakeholder consultations confirm that the MSG has not fully discussed necessary measures to ensure that civil society can express views related to any aspect of the EITI Standard

without fear of reprisal. In accordance with Requirement 1.3, Mali should ensure that there are no government constraints on civil society's freedom of expression in relation to all aspects of the EITI process and public debate on extractive industry governance, including in all resource-rich regions of the country. The Malian government should ensure that existing laws, including the decree banning political activity and media coverage, do not affect the freedom of civil society to speak freely on extractive resources governance issues, in adherence with the EITI Civil Society Protocol and Requirements 1.3.b, c and d of the 2023 EITI Standard. The multi-stakeholder group should monitor how CSO engagement in the EITI process occurs and identify any circumstances or incidents, no matter the origin, that affect CSOs capacity to freely assemble, express, operate and participate in public debate on mining governance without fear of reprisal. This includes access to funding. In the event of any breaches, the government should address these concerns to guarantee the conditions for civil society participation established in the EITI protocol for civil society. The MSG and the government are encouraged to ensure that CSOs engagement, including from mining regions, is made possible through adequate capacitation.

Civil society coalitions represented on the MSG should liaise with their broader constituency, including civil society in communities affected by mining. The constituency should strengthen its representativeness by refreshing its representation on the MSG through a free, open and inclusive nomination process that strikes a balance between renewal of representation, capacities and preservation of institutional knowledge about the EITI process. To strengthen the civil society participation, civil society is recommended to undertake a mapping of civil society actors that work on natural resource governance issues to facilitate better communication and inclusion in the EITI process.

**Requirement 2.2: Contract and license allocations.** The Secretariat's assessment is that Requirement 2.2 is partly met, as in the last Validation. The Secretariat's view is that the objective of providing a public overview of awards and transfers of oil, gas and mining licenses, the statutory procedures for license awards and transfers and whether these procedures are followed in practice, is still far from being fulfilled. This view is based on discrepancies in public information on the number of mining licenses awarded in the period under review and weaknesses in Mali EITI's diagnostic of deviations from statutory procedures in license award and transfer practices in 2021. While there have been perfunctory improvements in the MSG's narrow review of licensing practices in the mining sector in the latest EITI Report, this review was conducted in isolation of a government-commissioned mining audit. While the mining audit reportedly identified significant deviations from statutory licensing procedures, government officials consulted rejected the findings of the EITI Report that there were deviations in license awards in 2021 and argued strongly that there had been no deviations in practice. Thus, the lack of clarity on deviations from statutory procedures in licensing practices remains a significant concern. Most stakeholders consulted from all constituencies considered that the objective had been fulfilled given the improvements in Mali EITI reporting on licensing for industrial mines. The MSG's own Validation template on this requirement reflected its self-assessment that the objective was fulfilled. While the Secretariat concedes that there have been improvements since the previous Validation, it considers these narrowly related to EITI reporting focused on industrial

mining, rather than a basis for improving public oversight and governance of mining licensing practices. The Secretariat's assessment is that there have been marginal improvements in Mali EITI's disclosures related to extractive rights awards and transfers, but that many of the required technical aspects of Requirement 2.2, as well as corrective actions from the last Validation, have not yet been fully addressed.

In accordance with Requirement 2.2, Mali should ensure that there is consistent public information on mining license awards and transfers, including an assessment of any material deviations from the applicable legal and regulatory framework governing license transfers and awards in the period under review by EITI reporting. Mali should ensure its diagnostic of mining licensing practices draws on other relevant reports, such as the 2022-2023 mining audit. To strengthen implementation upon the re-opening of the mining cadastre, Mali should adopt measures to mitigate the risks of corruption in the process of reopening the mining cadastre to avoid the backlog of applications. Mali should ensure that information on oil and gas license awards and transfers is publicly disclosed, including the process for awarding and transferring licenses, including technical and financial criteria assessed in accordance with statutory licensing procedures once license attributions resume. Mali EITI could publish commentary on the efficiency and effectiveness of licensing procedures, and a description of procedures, actual practices and grounds for renewing, suspending or revoking a contract or license. This commentary should be based on data on the rapid development of the artisanal and small-scale mining sectors. Where companies hold licenses that were allocated prior to the period covered by EITI implementation, Mali is encouraged to disclose the information set out in Requirement 2.2.a on those license awards. Given the rapid increase in illegal artisanal mining activities, Mali should follow-up on past Mali EITI recommendations to undertake a dedicated study of artisanal and small-scale mining with a view to increasing transparency in licensing practices in this segment of the extractive industries that garners significant public interest. Such a study should also assess the illegal ASM activities, identify associated risks and recommendations to mitigate those risks.

**Requirement 2.3: License registers.** The Secretariat's assessment is that Requirement 2.3 is mostly met, which is a regression from the last Validation. The Secretariat's view is that the objective of ensuring the public accessibility of comprehensive information on property rights in the extractive industries is mostly fulfilled. Amidst the moratorium on new mining license awards since November 2022, the publicly available license information in Mali's online cadastre does not appear to be updated and Mali's own EITI Report raises significant concerns over the comprehensiveness and reliability of license information in the cadastre. The opinions of stakeholders consulted on the objective were somewhat split on this issue, although several government officials and national secretariat staff consulted confirmed the EITI Report's concerns that the cadastre did not cover all active mining licenses. The MSG's own Validation template on this requirement reflected its self-assessment that the objective was only mostly met. The Secretariat's assessment is that there are gaps in many required technical aspects of Requirement 2.3, particularly related to the comprehensiveness of data.

In accordance with Requirement 2.3, Mali is required to ensure that its publicly accessible license registers and cadastre systems provide information on all active licenses held by all mining, oil and gas companies, including companies and individuals that are outside the agreed scope of EITI implementation. Mali is strongly urged to follow up on recommendations from past EITI Reports to resolve discrepancies in active mining lists across different government departments. Any significant legal or practical barriers preventing such comprehensive disclosure covering all extractive rights including artisanal mining permits should be documented and explained, including an account of government plans for seeking to overcome such barriers and the anticipated timeframe for achieving them.

**Requirement 2.4: Contracts.** The Secretariat's assessment is that Requirement 2.4 is partly met, as in the last Validation. The Secretariat's view is that the objective of ensuring the public accessibility of all licenses and contracts underpinning extractive activities (at least from 2021 onwards), as a basis for the public's understanding of the contractual rights and obligations of companies, has not been fulfilled. This view is based on the ad hoc nature of contract publication to date without a comprehensive review of the status of contract disclosure that could enhance the accessibility of published contracts, the lack of publication of the full text of mining licenses to date, and stakeholder concerns over gaps in the publication of contracts, annexes and amendments, including with regards to contracts concluded since January 2021. Stakeholders consulted broadly considered that the objective was in the process of being fulfilled, even if the MSG had not yet published a comprehensive inventory of all published contract and license documents. The MSG's own Validation template on this requirement reflected its self-assessment that the objective was mostly met. The Secretariat's assessment is that significant technical aspects of Requirement 2.4 have not yet been addressed.

In accordance with Requirement 2.4, Mali is required to publish a comprehensive inventory list of all active licenses and contracts (including annexes, amendments and riders), indicating which document has been published (and where, precisely) and which has not. Mali is required to publish any extractive contract and license that was awarded or amended since 1 January 2021, including all annexes, amendments and riders. To strengthen implementation, Mali is encouraged to ensure that all active mining licenses and contracts are published, including all annexes, amendments and riders.

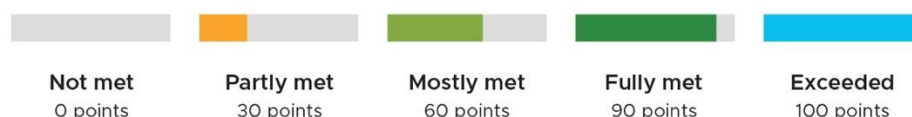


## Targeted assessment scorecard

Component & EITI Requirement		Progress	Score	
Stakeholder engagement	Government engagement (#1.1)	Fully met	90	↑
	Civil society engagement (#1.3)	Mostly met	60	=
Transparency	Contract and license allocations (#2.2)	Partly met	30	=
	License register (#2.3)	Mostly met	60	↓
	Contracts (#2.4)	Partly met	30	=

### How EITI Targeted Assessment scores work

This assessment considers Requirements 1.1, 1.3, 2.2, 2.3 & 2.4. Targeted assessments assess the extent to which each EITI Requirement is met, using five categories. The targeted assessment does not include component or overall scores given that all EITI Requirements part of a component have not been assessed in this process.



- **Exceeded** (100 points): All aspects of the requirement, including “expected”, “encouraged” and “recommended” aspects, have been implemented and the broader objective of the requirement has been fulfilled through systematic disclosures in government and company systems.
- **Fully met** (90 points): The broader objective of the requirement has been fulfilled, and all required aspects of the requirement have been addressed.
- **Mostly met** (60 points): Significant aspects of the requirement have been implemented, and the broader objective of the requirement is mostly fulfilled.
- **Partly met** (30 points): Significant aspects of the requirement have not been implemented, and the broader objective of the requirement is not fulfilled.
- **Not met** (0 points): All or nearly all aspects of the requirement remain outstanding, and the broader objective of the requirement is far from fulfilled.
- **Not assessed**: Disclosures are encouraged, but not required and thus not considered in the score.
- **Not applicable**: The MSG has demonstrated that the requirement doesn’t apply.

Where the evidence does not clearly suggest a certain assessment, stakeholder views on the issue diverge, or the multi-stakeholder group disagrees with the Secretariat’s assessment, the situation is described in the assessment.

## 1. Assessment of government engagement (Requirement 1.1)

### Findings from the previous Validation

Mali's 2022 Validation found that Requirement 1.1 was mostly met, which represented back-sliding since the previous Validation. Several stakeholders consulted from different constituencies considered that the government was fully engaged in the EITI process despite the political volatility of the past two years, weaknesses in operational engagement of some entities and gaps in funding. The MSG's comments on the draft assessment emphasised these views. However, other stakeholders from all constituencies considered that there were weaknesses in the government's provision of resources, data and leadership in overcoming barriers to EITI implementation that meant that the objective was mostly met. Validation concluded that the objective of full, active and effective government engagement is mostly met in the period under review.

While most technical aspects of Requirement 1.1 were addressed, Validation considered that weaknesses in the provision of funding for implementation, and in the coordination across agencies to strengthen follow-up on EITI recommendations, were gaps that needed to be addressed for the objective of full, active and effective government leadership of the EITI process to be achieved. In its comments on the draft assessment, the MSG highlighted general activities in the 2022 work plan aimed at "strengthening stakeholder engagement in the EITI" and noted government plans in 2022 to undertake an audit of the mining cadastre system.

### Summary of progress since last Validation

**The Secretariat's assessment is that Requirement 1.1 is fully met.** The Secretariat's view is that the objective of ensuring a full, active and effective government lead for EITI implementation, as a means of facilitating all aspects of EITI implementation, has been fulfilled in the period under review.

The opinions of stakeholders consulted on the objective were split over the extent of government leadership of the EITI process in the last year. Several stakeholders from all three constituencies considered that the objective had been fulfilled, particularly with incoming Minister Keita's chairing of the July 2023 MSG meeting as one of his first engagements after his appointment as Minister. Other stakeholders consulted from industry and civil society considered that the objective was mostly fulfilled, given gaps in government funding for the EITI process.

Based on a desk review end 2023, the International Secretariat had noted weaknesses in the government's operational engagement in the EITI process combined with government actions in the mining sector – including the lack of consistent disclosure of awarded mining contracts despite significant civil society advocacy and reforms of the Mining Code - that appeared based either on cursory or no consultations with other constituencies. The International Secretariat had also noted in its desk review end 2023 that the government had made only one high-level public statement committing to the EITI since the last Validation, when incoming Minister of Mines and Energy Amadou Keita chaired a MSG meeting in early July 2023. The EITI process has

consistently been led by the Minister of Mines and Energy, although Minister of Mines and Energy Lamine Seydou Traoré's resignation in May 2023 meant that the EITI was led on an interim basis by Minister of Economy and Finance Alhousseyni Sanou until July 2023. The [stated](#) reasons for Minister Traoré's resignation - linked to concerns over key extractive industry governance decisions being taken by the Presidency rather than the Ministry of Mines and Energy - raised questions over whether the Ministry of Mines and Energy has sufficient institutional powers to lead reforms in the mining sector, although none of the stakeholders consulted considered that there were concerns over the Ministry of Mines' institutional mandate to lead the EITI process.

However, following a fact-finding mission in Bamako in June 2024, the International Secretariat found there had been improvements in Mali government engagement in EITI. Indeed, The Conseil National de Supervision (National Oversight Committee, composed of government ministers) of EITI Mali had not met since 2019, but the government has organised a meeting of the CNS on 12 April 2024 chaired by the Prime Minister, who publicly reaffirmed Mali's commitment to implement the EITI Standard in his opening remarks [broadcasted on national television](#). Furthermore, the fact-finding mission underscored that the Minister of Mines Amadou Keita is a widely respected university professor who strongly identifies with the objectives and methodology of the EITI. Under Minister Amadou Keita's leadership, Mali has reflected the EITI in the updated mining code (articles 6 and 23) as part of a "refoundation of institutions." Not only does the new Mining Code reaffirm Mali's adherence to the EITI (article 6) but it also creates the obligation for license holders to comply with the EITI principles and requirements (article 23), including the disclosure of beneficial owners which can be sanctioned by the cancellation of the license in case of non-compliance (article 207). Moreover, the Minister of Mines has also taken the decision to appoint a senior official as interim National Coordinator following a merit-based approach to ensure both support of stakeholders and progress on EITI implementation. This improved government engagement led to the continued EITI implementation despite challenging security conditions, including the timely publication of the [2022](#) and [2023 EITI Reports](#) in June 2024 which puts Mali in company of a small group of countries with good practice on timely disclosures.

At the operational level, the right government stakeholders appear represented on the MSG with only a few organic replacements since the last Validation. Material government entities have continued to disclose the required data to the EITI, with a few minor exceptions as in the last Validation. Government entities' attendance at MSG meetings has improved from the Prime Minister's Office, but not significantly from several entities under the Ministry of Finance such as the tax office (DGI) (see *Annexe B*). However, the government has made some effort in institutionalising EITI reporting through the open data portal based on RDF's Fusion platform for systematic disclosure of government revenue data. The government constituency has also made some procedural improvements to its engagement in the EITI by establishing WhatsApp groups to coordinate the constituency's engagement, although the broader constituency's lack of substantive input to the development of key EITI documents such as the annual work plan and review of outcomes and impact raise concerns over whether this mechanism is effective in practice. There has been follow-up on some, but not all, of the corrective actions from the last Validation. Government representatives have attended the dissemination activities around the 2019 EITI Report in October 2022, but do not appear to have proactively organised their own EITI outreach and dissemination activities. Nevertheless, EITI Mali's workplan for 2024 was approved

in January 2024. Members of the Supervisory Committee chaired by the Prime Minister reviewed in April 2024 the corrective actions from the 2022 Validation as well as Mali EITI's workplan for 2024. 2022 and 2023 EITI reports were published in a timely manner in June 2024 as expected.

While the government continued to allocate budget for around 25% of the annual EITI work plan (with the remainder from the World Bank), the Ministry of Finance provided an additional XAF 65m (equivalent to another roughly 25% of the work plan budget) in July 2023 to support the MSG's preparations for this targeted assessment. While government funding was sufficient to sustain the EITI process in this period (including cover for Mali EITI staff wages), there are concerns on the level of financial resources for the EITI process to support effective implementation of the EITI, despite additional support from the World Bank's Mining Sector Governance Project, set to conclude on 30 June 2024. However, the government has indicated during the International Secretariat's mission that it would take all the necessary measures to provide financial support to EITI implementation as far as the current context would allow.

Taking into account the new evidence following the fact-finding mission in Bamako, the International Secretariat considers that there is now clear evidence of stronger and more visible commitment from the Prime Minister and the Minister of Mines, as well as the government as a whole, and therefore concludes its assessment of Requirement 1.1 as fully met.

#### High-level government commitment (Requirement 1.1.a-b)

##### *The government has issued a public statement of its intention to implement the EITI (#1.1.a)*

Newly appointed Minister of Mines and Energy Amadou Keïta reiterated the government's commitment to the EITI at an MSG meeting in early July 2023, which was covered in the [national press](#) and re-broadcast on [YouTube](#). Minister Keïta in particular highlighted the government's continued provision of resources for the EITI process despite the ongoing challenges of the political and security situation. EITI Mali's Conseil National de Supervision (National Oversight Committee, composed of government ministers, high level civil society and extractive industries representatives) has also met on 12 April 2024, chaired by the Prime Minister, who publicly reaffirmed Mali's commitment to implement the EITI Standard in his opening remarks [broadcasted on national television](#). Since the previous Validation, the government has included reference to its continued commitment to the EITI in the new [Mining Code](#) (Article 6) enacted in August 2023.

##### *The government has appointed a senior individual to lead on the implementation of the EITI (#1.1.b)*

The senior official leading EITI implementation in Mali has changed in the period since the last Validation. In late May 2023, Minister of Mines and Energy Lamine Seydou Traoré [resigned](#) after two and a half years in office, raising concerns in his resignation letter over his exclusion from certain decisions in the mining sector, particularly regarding the mining sector audit launched in 2022 according to international press [coverage](#). Minister of Economy and Finance Alhousseyni Sanou acted as interim Minister of Mines and Energy in June until Amadou Keïta was appointed

as Minister of Mines on 1 July 2023, thereby assuming the functions of the EITI Champion in Mali.

Opinions over the consistency of a senior government official championing the EITI process varied, including within constituencies. Some government officials consulted considered that there was consistently a senior government official leading the EITI. However, several stakeholders from industry and civil society in particular noted that Minister Traoré had not been closely involved in the EITI process and did not attend MSG meetings even if he was represented by the Secretary General of the Ministry of Mines, Energy and Water on several occasions. Several stakeholders welcomed Minister Keïta's chairing of the July 2023 MSG meeting as one of his first acts in office. However, several CSOs consulted argued strongly that the institutional hosting of the EITI should be moved from the Ministry of Mines to the Ministry of Finance to improve data collection for the EITI and further institutionalise government funding for the EITI.

The International Secretariat considers that there is clear evidence of stronger and more visible commitment by the new MSG chair, Minister Keïta, and notes stakeholder concerns over weaknesses in the effective leadership of the EITI process by former Minister Traoré.

### Government's operational engagement (Requirement 1.1.c-d)

#### *The government is fully, actively and effectively engaged in the EITI process (#1.1.c)*

Since the last Validation, the government constituency has taken several actions to strengthen the broader constituency's coordination on the EITI. As highlighted in the MSG's 'Stakeholder engagement' template, the constituency created a WhatsApp messaging group to enhance exchange of information and consultations on key EITI documents, such as the preparation of the 2021 annual progress report and the 2023 EITI work plan, although there is little evidence of the broader constituency's input to these key EITI documents. The MSG's template merely notes that government representatives are included on the MSG's ad hoc working group tasked with developing the annual EITI work plan, without examples of input from the broader constituency. Nonetheless, the establishment of a framework for coordination of the broader government constituency on EITI implementation is a sign of possible improvements in coordination that could support more proactive engagement in future.

Material government entities have continued to provide the data required for EITI reporting since the last Validation. All material government entities duly reported all required data to the EITI for the 2021 EITI Report, as in previous EITI reporting cycles. Only two of the ten material government entities (the regional tax departments and the National Institute for Social Planning (INPS)) did not provide the required quality assurances for their EITI disclosures, although this caused gaps in the reliability of disclosures of direct subnational payments and social security contributions only. Opinions over government entities' engagement in EITI reporting varied, with several government entities considering that data collection from government had improved in the 2020 and 2021 EITI Reports. However, several CSOs consulted, and the IA noted that there were consistent challenges in data collection from government entities, particularly those linked to the Ministry of Finance (e.g. from the tax department (DGI) and customs). Nonetheless, there is evidence that the state has moved forward in plans to strengthen systematic disclosures of

information required by the EITI. The minutes of the MSG's 6 July 2023 [meeting](#) indicate that the government contracted the non-profit organisation Revenue Development Foundation (RDF) to develop a data portal to integrate government extractive data and improve the accessibility of the state's systematic disclosures. The Secretariat understands that this project was being implemented in the fourth quarter of 2023 and in 2024, but encountered electricity-related issues during operationalisation according to stakeholders. Despite the challenging security conditions, EITI implementation also continued in 2024, including the timely publication of [2022](#) and [2023 EITI Reports](#) in June 2024.

Government funding has continued to decline from covering 29% of EITI implementation costs in 2022 (XOF 269.2m) to only 25.7% of EITI costs in 2023 (XOF 247.435m), according to successive Mali EITI's 2022 and 2023 work plans as well as the MSG's 'Stakeholder engagement' template. The rest of funding for implementation has been covered by the World Bank's Governance of Mining Sector Project ([PGSM](#)). However, the state provided an additional advance on funding of XAF 65m to support the MSG's preparations for this Targeted Assessment in July 2023, which increased government funding to around half of the Mali EITI work plan for 2023. Consulted stakeholders noted several work plan activities, including the planned study on artisanal mining, having been postponed given constraints in government funding and delays in some World Bank funded activities. Several stakeholders from all constituencies highlighted funding constraints as key challenges for the EITI process and called for the provision of greater technical and financial resources for the EITI process, even if all consulted stakeholders raised the context of the government's priority on funding national security expenditures as an explanation for these EITI funding constraints. One development partner considered that the government was providing as many resources to the EITI as possible given constraints caused by the security situation. EITI Mali's work plan for 2024 was approved in January 2024. Members of the supervisory committee chaired by the Prime Minister reviewed in April 2024 the corrective actions from the 2022 Validation as well as Mali EITI's work plan for 2024. With the financial support from the World Bank's Mining Sector Governance Project set to conclude on 30 June 2024, the government has indicated during the International Secretariat's mission that it would financially support EITI implementation as far as the current context would allow.

The MSG's 'Stakeholder engagement' template only highlights one instance since the last Validation when the government constituency participated in EITI-related outreach and dissemination. Indeed, a Mali EITI [report](#) on dissemination of the 2019 EITI Report highlights some government MSG members' participation in dissemination events around the 2019 EITI Report in the 2-8 October 2022 period. The MSG's template also [highlights](#) the government constituency's participation in a Malian delegation to the EITI Global Conference in June 2023. Consulted stakeholders from all constituencies however highlighted that government officials had also participated in the Mali EITI dissemination campaign around the 2020 and 2021 EITI Reports in October 2023, after the start of the initial targeted assessment. However, there is little evidence of the government taking any other action to disseminate EITI findings or conduct outreach to key stakeholder groups beyond the MSG.

With regards to actions the government has taken to overcome barriers to the EITI process and establish an enabling environment for industry and civil society engagement in the EITI, the MSG's 'Stakeholder engagement' template submitted for this assessment highlights the



issuance of an Inter-Ministerial Order (*arrêté* [2022-6270/MMEE-MJDH-SG](#)) of December 2022 that codified the beneficial ownership disclosure template that extractive companies are required to submit to the government. However, there is little evidence that the Inter-Ministerial Order has yet been implemented and that beneficial ownership data has started to be collected from companies, as there have been no beneficial ownership disclosures outside of the very limited disclosures through EITI reporting to date. Rather, the International Secretariat notes concerns in the government's approach to working with other constituencies in designing and implementing key extractive industry reforms and using the EITI as a consultative mechanism in this process, for instance in the cases of the mining audit and the reform of the Mining Code in record time in April-August 2023. Opinions of consulted stakeholders were split over the government's approach to consultations in developing important reforms in the mining sector in the past year. Several government and civil society stakeholders considered that the government had sufficiently consulted the companies and civil society in developing reforms to the Mining Code, while many industry representatives noted that the limited consultations of industry on the proposed reforms were only for the form rather than for substance. There was consensus that mining companies had not been given the opportunity to respond to the initial findings of the mining audit, although some government officials noted that companies' feedback on the mining audit was now being considered. However, several industry stakeholders questioned whether companies' responses to the initial mining audit findings would be taken into account given that the Mining Code had already been reformed on the basis of the mining audit's initial findings. . Nevertheless the international Secretariat notes that under Minister Amadou Keita's leadership, Mali has reflected EITI disclosure requirements in the updated mining code (articles 6 and, 23 and 207) as part of the "refoundation of institutions".

#### *Senior government officials are represented on the MSG (#1.1.d)*

The composition of the EITI Mali MSG has not been comprehensively renewed since the last Validation in October 2022. However, new MSG members were appointed from the High Council of Territorial Communities (HCC) and the Treasury and Public Accounting National Department (DNTCP) in September 2023 due to recent replacement of government staff. The appropriate government entities continue to be represented on the MSG, namely 17 members from the Ministry of Mines and Energy, the Prime Minister's Office, the High Council of Territorial Administrations, the Ministry of Economy and Finance, the Tax Office, the National Department of Sanitation and Control of Pollution and Nuisances, the National Statistical Institute, The Treasury and Public Accounting Department, the National Department of Geology and Mines, the Authority for Petroleum Research and Promotion, the Customs Department, the Mines and Energy Planning and Statistics Cell, the Supreme Court's Section of Accounts and the National Institute for Social Security. The replacements of the two government MSG members who changed followed the usual procedure of nominations by their respective institutions, a process coordinated by the Mali EITI national secretariat.

Government members' attendance has continued to fluctuate depending on the government entity, with more consistent participation at MSG meetings by entities under the Ministry of Mines, Energy and Water than those linked to the Ministry of Finance (see *Annexe B for a detailed review of MSG meeting attendance*). Several stakeholders consulted raised concerns over what they considered to be insufficient government engagement in MSG meetings,

particularly from the Ministry of Finance. Several CSOs considered that civil society was the sole driver of MSG discussions and lamented the lack of active government engagement in the MSG deliberations. Several stakeholders from all constituencies highlighted that the new Minister, Amadou Keita, appeared much more engaged than his predecessor, Minister Lamine Seydou Traoré, who never attended MSG meetings, given that Minister Keita had chaired the MSG meeting as one of his first meetings upon being appointed in July 2023. The International Secretariat welcomes this renewed senior government engagement and considers that there is clear evidence of stronger and more visible commitment by the new MSG chair, Minister Keita, but also highlights the importance of operational engagement by all government entities involved in the EITI process, particularly from entities under the Ministry of Finance.

## Corrective actions and recommendations

To strengthen implementation of Requirement 1.1, the government is expected to operationalise its commitment to the EITI and the implementation of the principles of transparency. The government should act on its high-level commitment to the EITI and its principles through the provision of technical and financial resources for all aspects of EITI implementation, in taking steps to overcome barriers to the EITI process and follow-up on EITI recommendations, and in establishing an enabling environment for civil society engagement in the EITI process and public debate on extractive industry governance.

## 2. Assessment of civil society engagement (Requirement 1.3)

### Findings from the previous Validation

Mali's 2022 Validation found that Requirement 1.3 was mostly met. The environment for free public expression had deteriorated since the second coup d'état, particularly in 2022 with the ban of certain international media. The assessment of Requirement 1.3 and adherence to the EITI protocol: Participation of civil society could be considered borderline between 'partly met' and 'mostly met', although Validation concluded that Mali's civil society was active and engaged and had provided evidence of recent public debate on topics of public interest.

Civil society representatives on the MSG appeared to be fully, actively and effectively engaged in the EITI process. Since the previous Validation, the civil society constituency had agreed and published a Code of Conduct to structure its nominations to the MSG and codify statutory requirements for regular consultations of the broader constituency. The last nominations to the MSG involved the two largest CSO umbrella organisations in Mali but led to the reappointment of the majority of civil society MSG members that have participated since the start of Mali's EITI implementation in 2007. There was less evidence of regular consultations with the broader civil society constituency on EITI implementation issues in practice. The majority of Bamako-based CSOs consulted considered that the coordination mechanisms were effective in practice. Yet some CSOs based in mining regions and not substantially engaged in the EITI process considered that there was little outreach to CSOs outside of the capital city.



Despite constitutional and legal provisions ensuring freedoms of expression, operation and assembly, there was evidence of broader constraints in civic space in Mali. Arbitrary arrests of journalists in the context of the violent insurgency appeared to have created conditions for self-censorship by journalists and civil society activists, as documented by the United Nations. The United Nations has also documented human rights abuses by the government armed forces and insurgents during this period. Bans on public demonstrations and violent dispersal of protests in 2020-22 had curbed civil society's ability to stage public demonstrations. There were significantly different views among stakeholders consulted on the extent to which these broader constraints had impacted civil society's engagement in the EITI process and public debate on natural resource governance. Most stakeholders from civil society, government and industry considered that these broader constraints had not impacted the broader civil society constituency's engagement in the 2019-22 period. However, some stakeholders consulted considered that there were direct government restrictions on freedom of expression on topics of natural resource governance such as license awards and transfers, environmental impacts of mining and management of extractive industry revenues.

Validation concluded that there were credible allegations of self-censorship due to fear of reprisals from government officials that affected members of civil society substantially engaged in the EITI process due to limited discussion on sensitive issues. There was no evidence of substantive public discussions in the public domain. During the commenting period, civil society MSG members conducted several debate formats to demonstrate their ability to discuss sensitive issues, which appeared to indicate that discussions on mining issues of public interest were possible. Nevertheless, Validation concluded that the proactive engagement of civil society MSG members must be weighed against the lack of evidence of meaningful consultations with the broader constituency, particularly in the regions hosting either industrial or artisanal and small-scale mining operations even if mobility constraints linked to the broader security situation must be acknowledged. Links between Bamako-based CSOs and civil society in communities affected by mining were weak, which affected representation in the EITI and appeared due to CSOs' capacity and resource constraints as well as the broader security situation in many extractive regions. In addition, Validation identified breaches of the EITI protocol: Participation of civil society related to expression (Provision 2.1).

## Summary of progress since last Validation

**The Secretariat's assessment is that Requirement 1.3 is mostly met.** There was a split in opinions of stakeholders on the fulfilment of the objective of the requirement. Many stakeholders in Mali, from all three constituencies, strongly argued that the objective was considered met, and that any constraints on civil society's activities were caused by Islamist insurgents and foreign interference rather than government actions. Many CSOs consulted directly involved in the EITI process considered that their constituency had broadened to include more organisations and expand links within mining communities since the previous Validation.

Based on a desk review prior to the June mission, the International Secretariat had noted further deterioration in the environment for civil society engagement, based on allegations of reprisals against critical CSOs, self-censorship related to armed groups, increased reporting requirements and increased restrictions on foreign funding. However, following a fact-finding mission in

Bamako in June 2024, the International Secretariat did not find evidence of licences being issued to armed groups, operating mining assets nor self-censorship on this topic. The international Secretariat also did not find evidence of restriction of foreign funding, and in fact, development partners confirmed that they continue to support civil society in Mali. Nevertheless, the International Secretariat found increased scrutiny and monitoring of civil society activities in the context of military transition, as well as strong division between CSOs inside the MSG and those outside of the MSG, who feel excluded from the EITI process, as the MSG membership for the civil society constituency had not substantially changed since 2007.

The Secretariat's assessment is that some aspects of Requirement 1.3 have not been addressed in the period under review. While there were diverging views on the adherence to the civil society protocol when considering the broader context, the Secretariat's observation following the fact-finding mission is that the allegations of restricted civic space and censorship relate to criticism towards activities by the army and its partners and the press coverage of political parties. We did not find these alleged constraints on civic space as having material effects on civil society members engaged in the governance of extractive resources. The main issue with civil society engaged in the EITI process in Mali is its lack of adequate representation perpetuated by sitting CSO MSG members. The CSOs have substantially reconducted the same constituency members from year to year since Mali joined the EITI. Given that the International Secretariat did not find indications that there are constraints on civic space having material effects on civil society engagement in the governance of extractive resources, and that the main issue with civil society engaged in the EITI process in Mali is the lack of adequate representation, the international Secretariat recommends an assessment of mostly met. Corrective actions must urgently address the issue of representativity of the civil society constituency.

The MSG and civil society constituency do not appear to have comprehensively addressed the corrective actions related to civil society engagement from the previous Validation. Document review and stakeholder consultations confirm that the MSG has not fully discussed necessary measures to ensure that civil society can express views related to any aspect of the EITI Standard without fear of reprisal.

### Broader civic space context

There are differing estimates of the number of civil society organisations in Mali. According to the Grassroots Development Support Unit of the Ministry of Territorial Administration and Decentralization (which, before the May 2021 coup, was known as the Ministry of Territorial Administration and Local Authorities), there were around 2,500 formal local organizations in Mali at the end of 2020 (an increase of about 25% over 2019), with over 2,200 non-governmental organizations (NGOs) registered in 2020, a slight increase on the 2,150 in 2019, according to data in the 2021 [CSO Sustainability Index](#) for Mali. However, the MSG's 'Stakeholder engagement' template refers to a much higher figure of some 500,000 non-government organisations (NGOs) and 10,000 associations operating in Mali.

Mali's score in international rankings of civic space has continued to decline in the short period under review (October 2022 – October 2023). [Freedom in the World](#) ranks Mali 29/100 in 2023 (rated 'not free'), down from 32/100 in 2022 and 44/100 in 2019 (when it was rated 'partly

free'). The [CIVICUS](#) rating of Mali remained 'repressed' at 40/100 as of August 2023, as it has been since December 2021 when its rating was downgraded from 'obstructed'. Mali's ranking in the 'Freedom of the press' index by Reporters without Borders ([RsF](#)) declined from 111<sup>th</sup> of 180 countries in 2022 to 113<sup>th</sup> in 2023. The United States Department of State's 2022 [report](#) on human rights in Mali raised the same concerns as previous reports, including about alleged human rights abuses by both Malian and private foreign military forces. This was covered in a July 2023 [article](#) by Human Rights Watch and HRW's 2023 world [report](#), which also raised concerns about, inter alia, the worsening attacks on civilians, and the growing crack-down on independent media and any opposition voices. The government strongly refuted allegations of any constraints on civic space in Mali, as relayed by Chinese state-owned media Xinhua in an April 2023 [article](#).

Challenges in the MINUSMA's relationship with the government, particularly on the mission's reporting on human rights abuses, pre-date the UN Security Council decision to wind down the MINUSMA. In early 2023, the UN undertook an independent investigation of potential war crimes and crimes against humanity by government forces and the Wagner group in Mali. Focusing on the Moura massacre of over 500 civilians in March 2022 in particular, the UN's human rights report claimed a "climate of terror and complete impunity" characterized the Wagner Group's activities in the country (see Annexe A). Alioune Tine, independent UN expert on the human rights situation in Mali, raised significant concerns following his fifth review of human rights, including facing harassment and intimidation himself during his recent mission, as reported in a UN OHCHR February 2023 [press release](#). The concerns related to growing constraints on freedoms of expression, self-censorship, and of association, while reported media 'lynching's' and attacks exacerbated the civil society's tendency to self-censor. The UN independent expert on human rights argued that "civil society had almost entirely disappeared" and the government's categorisation of human rights defenders as "foreign agents" according to a UN [press release](#) in March 2023. Concerns on the human rights situation in Mali were raised again in Mali's fourth Universal Periodic [Review](#) in May 2023.

The government has continued to contest allegations of human rights abuses levelled at the state security forces and their foreign partners. The 2023 UN report on the human rights situation was one of the reasons for Mali's request for the withdrawal of MINUSMA in June 2023. Minister of Justice and Human Rights Mamadou Kassogue deplored the UN independent expert's report on human rights insinuation that there was a lack of political will to prosecute human rights abuse perpetrators according to the UN [press release](#) on Mali in March 2023. The government has made some progress on enacting regulations to implement the 2017 Law on Human Rights Defenders, building on the February 2020 implementing decree for the 2017 law according to Mali's fourth Universal Periodic [Review](#) in May 2023. In February 2023, the government adopted a draft decree establishing a National Human Rights Department, which was hailed by the UN OHCHR in a February 2023 [press release](#) as an improvement alongside efforts to process over 100 individuals implicated in human rights abuses and slave labour. Minister of Justice Mahamadou Kassogu  has argued publicly that this reflects the government's resolute engagement in punishing any perpetrators of human rights abuses, as reported in a March 2023 [press release](#) by the UN.

The period between January and May 2024, when the International Secretariat provided an update to the Validation Committee, was marked by several decisions from the military government of Mali including extension of the transition period, suspension of activities of political parties and restrictions on broader civic space:

- In March 2024, the junta dissolved a Students' Association on the ground of *"disrupting classes, assassinations, murders and the destruction of public and private property"*.
- In April 2024, Mali's Head of State [signed a decree](#) *"suspending until further notice (...) the activities of political parties and the political activities of associations"* on the Malian territory. A communiqué from the government also requested the Malian media (radio, television, print and online newspapers) *"to stop broadcasting and publishing news about political parties and the political activities of associations"*. The journalists' association Maison de la Presse called on the entire Malian press not to submit to those injunctions.
- Notable international reactions include the United Nations' Office of the High Commissioner for Human Rights who had already expressed [concerns over closures of civil society organizations](#), and then [asked](#) that the decree on the suspension of political activities is repealed.
- In April and May 2024, the Malian junta initiated the Inter-Malian Dialogue for peace and reconciliation, a series of meetings at the local, regional and then national levels. Journalists and civil society organizations have been able to take part in these events. The deadline of 26 March 2024 for the end of the transition period elapsed. However, the Prime Minister explained that stability and the recovery of the Malian sovereignty was a prior condition before elections. Political parties challenged this position by taking the case to the Supreme Court, which declared itself incompetent in April 2024

### Expression (Requirement 1.3.a,b,e,i and Civil Society Protocol provision 2.1)

*There is an enabling environment for freedom of expression and civil society is actively engaged in expression on EITI (#1.3.a,b,e,i and CSP 2.1)*

The new Constitution enacted in June 2023 continues to guarantee freedom of expression, even if international NGO rankings of Mali have continued to highlight constraints on freedom of expression in practice. In the period since October 2022, there have continued to be consultations around potential reforms of the legal framework for the press, although none have yet been enacted as of October 2023. Law 00-046 of 2000 continues to provide the legal framework for the press and presents constraints on the media, including criminal penalties for offenses against the state, spreading fake news and defamation. This legal framework has continued to be criticised by international NGOs, including in an August 2022 situation [note](#) by International Federation for Human Rights, Lawyers without Borders Canada and Amnesty International. A process to propose revisions to the press legislation has been ongoing since November 2021, with a preliminary bill discussed in 2022 proposing the decriminalisation of press offenses that would only be punished by fines, aside from offenses against state security

and the ‘public interest’. Mali’s May 2023 Universal Periodic [Review](#) highlighted that consultations with the press and other stakeholders were still ongoing with a view to finalising the proposed revisions to the press legislation. Law 2019-056 on cybercrimes has continued to draw criticism from international press and civil society organisations including in an August 2022 situation [note](#) by International Federation for Human Rights, Lawyers without Borders Canada and Amnesty International, given the law’s provisions for criminal prosecutions of online expression deemed a “threat” or “insult” to authorities. The ambiguity of these terms due to their lack of definition under Malian law has raised concerns that sanctions ranging from six months to ten years of imprisonment and from XOF 1m to XOF 10m in fines could be levelled against online activists in retribution of their criticisms of government.

In practice, the government has tightened its oversight of both the national and foreign press, including by reintroducing media accreditation requirements for all outlets in January 2022, followed by a freeze on new media accreditations in February 2022. Several journalists including reporters from French media *Le Monde*, *Libération* and *Jeune Afrique* were expelled from Mali in 2022 due to the withdrawal of their accreditation, while government licenses for French media LCI, RFI and France24 were also withdrawn in decisions that were [qualified](#) as “definitive” by the government in April 2022. The UN High Commissioner for Human Rights qualified these restrictions on the media as restrictions on freedoms of expression and of the press, as reported in an August 2022 [article](#) by Human Rights Watch. More recently, the TV channel Joliba TV was suspended by the press regulator (the Communications High Authority – HAC) in November 2022 after the broadcast of an editorial that was considered critical of the government, a suspension that lasted until end of December 2022. The TV channel was charged with “*serious and repeated breaches and violations of the code of ethics for journalists*”. The decision was publicly criticised by the Association of Online Media Professionals in Mali (APPEL-Mali) and the Union of Reporter Journalists of Mali (UJRM). In March 2023, the government arrested radio host Mohamed Youssouf Bathily (known as ‘Ras Bath’), for having spoken out against the alleged “assassination” of former Prime Minister Soumeylou Boubèye Maïga, and online influencer Rokia Doumbia (known as “Rose vie chère”) for having criticised on the social media platform TikTok the challenges of rising inflation and the alleged “failure” of the transition, according to a May 2023 open [letter](#) by Human Rights Watch. In August 2023, Ms Doumbia was sentenced to one year imprisonment and a XOF 1.5m (EUR 1,500) fine for “insulting the Head of State”, “inciting revolt” and “disturbing public order through the use of information and communication technologies” according to an AfricaNews [report](#).

Journalists have also faced harassment and intimidation from unidentified parties in the past year. In June and November 2022, journalist Malick Konaté faced threats, intimidation and damage to his property perpetrated by unidentified men, which he considered was connected to his public views on the transitional government and allegations of abuses caused by the Wagner group in news reports including for BFMTV, according to an Amnesty International 2022 [update](#) on Mali. This included phone calls from the head of the police's Judicial Investigations saying he was “needed”, and two visits to his Bamako home by military officers in plain clothes, alongside attacks by unidentified assailants. The lack of actions by the media regulator, the HAC, related to these instances of harassments of journalists has been criticised both by certain national media organisations such as Joliba TV and by international rights groups such as Amnesty International in its 2022 [update](#) on Mali. Several international NGOs including the International Federation for



Human Rights ([FIDH](#)) and [RsF](#) published press releases in May 2023, backed by 30 media and civil society organisations, calling on the African Union, ECOWAS, UEMOA, and UN to defend freedom of the press in Mali and Burkina Faso, consider that government attacks on freedom of expression are increasingly relayed on social media networks by influencers that support the military authorities that act as vigilantes to threaten journalists and opinion leaders.

The government's strong rejection of criticism was also demonstrated in public international forums in 2023. At a quarterly UN Security Council [briefing](#) on Mali in late January 2023 where civil society activist Aminata Cheick Dicko of the Observatoire Kisaal, which defends rights of pastoralist communities in the Sahel, aired allegations of human rights abuses by Malian and Russian forces amid a deteriorating security situation, Minister of Foreign Affairs Abdoulaye Diop strongly criticised Mrs Dicko's participation in the meeting. This led to the government [designating](#) MINUSMA Human Rights Department Director Guillaume Ngefa-Atondoko Andali as persona non grata in early February 2023, with 48 hours to leave the country, due to his selection of Mrs Dicko for the UN briefing according to the ICG's May 2023 [article](#). Mrs Dicko is reported to have left Mali due to threats against her, according to the UN Security Council's April 2023 [update](#) on Mali.

The broader security situation (see Annexe A), the alleged human rights abuses by both terrorists and state security forces with their foreign partners, and ongoing intimidation of journalists and online commentators have created conditions for self-censorship to grow among both the press and civil society, according to international organisations like the UN, foreign think tanks and media organisations. A UN [press release](#) in March 2023 related independent UN expert on the human rights situation in Mali Alioune Tine's list of topics considered 'taboo' and too sensitive to be discussed openly in public, which included allegations of human rights abuses attributed to the state security services and their foreign partners. An August 2022 [article](#) by Human Rights Watch related statements by Malian journalists and civil society activists who requested anonymity, which indicated that they were scared to speak publicly irrespective of any criticisms of government, while others explicitly noted the risk of imprisonment for any public statements. Human Rights Watch has [argued](#) that the media crack-down and arrests of journalists critical of the government has had a "chilling effect" on civic space in Mali. The Africa Center for Strategic Studies' July 2023 [report](#) on Mali argued that "*Malian social network users no longer dare to express an opinion that would contradict the official propaganda line*". The government has consistently refuted such allegations, with Minister of Justice Mahamadou Kassogué arguing that the constitutional rights to freedom of expression and of opinion have only been framed by the law to "preserve public order", but that the "democratic space does not face any restrictions", according to a March 2023 [article](#) by RFI.

Several development partners highlighted the role of organisations such as the Collective for the Defence of the Military ([CDM](#)) and the Yerewolo movement in harassing and intimidating CSOs who took public positions perceived as critical of the government in any respect. These two civil society organisations have submitted complaints in national courts against CSOs on charges of criminal defamation amidst accusation of treason against CSOs for perceived offenses as minor as raising concerns over the economy's performance or questions about the timing of planned elections, such as in February 2023 when the CDM filed a [complaint](#) against civil society activist Aminata Cheick Dicko and in November 2022 when the CDM filed a [complaint](#) against journalist

Malick Konaté. Complaints for defamation appears to have been a tool consistently used by the CDM since at least 2021, according to national media [reports](#). Several CSOs consulted noted that there were politically motivated CSOs that were working for political purposes, in the case of CDM to “provide psychological support to Malian armed forces”. However, they stated categorically that none of the CSOs substantially engaged in the EITI process had faced any harassment from groups such as the CDM.

Civil society’s input to the MSG’s ‘Stakeholder engagement’ template argues that there are no government constraints on civil society’s ability to freely express itself in relation to all aspects of the EITI process. The template focuses on civil society’s expression through the MSG, noting that the constituency’s MSG members engage actively in the MSG’s debates and is a driver of the EITI process. It notes that the constituency holds the position of chair of the MSG’s communications commission and of deputy chair of the ad hoc Validation commission. It argues that civil society participates in all of the MSG’s commissions on an equal footing with other constituencies. The MSG’s template notes that civil society’s views are “generally” taken into account by the MSG and that the constituency is able to influence the MSG’s work.

The Secretariat’s view is that, while there is increased scrutiny and monitoring of civil society on political topics related to the military transition, the allegations of restricted civic space and censorship relate to criticism towards activities by the army and the press coverage of political parties. The International Secretariat did not find evidence of material effects on freedom of expression on the governance of extractive resources of civil society members engaged in the EITI process. There is evidence of civil society representatives discussing sensitive issues in public during the period for the MSG’s comment on the last Validation. Indeed, civil society organised public debates and workshops to discuss allegations of awards of mining rights to armed groups, artisanal mining and environmental impacts of the extractive industries in July-August 2022. CSO actors engaged in EITI have publicly mentioned in [an article in August 2022](#) that there are no taboo topics on the mining sector for them, including the question of contract transparency or allegations of license allocation to armed groups. CSOs repeated government official’s position, which is that the government has not attributed any licenses to armed groups, which was initially understood as a lack of critical debate and possible form of self-censorship, . However, the fact-finding mission of the International Secretariat could not establish that there are elements that would confirm licences being issued to armed groups or operating mining assets, and thus is of the view, given its understanding of the current context, that there is no evidence of self-censorship on this matter. The [minutes](#) of the MSG’s 18 May 2023 meeting indicate that the representative of the National Department of Mines and Geology (DNGM) reiterated assurances that following questions from the assembly, no mining rights had been awarded to any armed group to date, without any indication of subsequent MSG debate on the issue. The International Secretariat also notes allegations of armed groups being paid in gold but notes that stakeholders consider this being linked to expenditures of government with gold as a mean of payment. The international Secretariat’s view is that CSOs do not link the use of gold for payment of security forces as an issue linked with the governance of the extractive sector. Furthermore, other examples of public intervention of CSO in Mali on relevant topics related to extractive resource governance includes PWYP Mali’s [publicly demanding in June 2024](#) the publication of the operating agreement of the Goulamina lithium mine, a conference on local content in December 2023, and a [workshop](#) in December 2023 on environmental and social

assessment mechanism for mining projects in Mali. The civil society constituency also held press conferences and public debates on lithium mining on 24 March 2023 and 14 April 2023, a public call for the publication of the mining audit on 26 May 2023, and a public dialogue on reforms to the Mining Code on 13 July 2023, where civil society raised issues related to the formalisation of artisanal mining, lithium processing and the establishment of mining funds. Moreover, PWYP also called for the publication of the Goulamina lithium contract at the MSG's 13 April 2023 meeting. The International Secretariat notes the shrinking civic space for political parties given the ban on political activities. Given continued public activities on mining governance issues and the Secretariat's understanding following the in-person mission in June, there is currently no evidence of linkage between the broader restrictions on political parties' freedom of expression and issues on mining governance. Therefore, aside the topics linked to the end of the political transition and the elections, the International Secretariat did not find evidence of material effects on freedom of expression on the governance of extractive resources of civil society members engaged in the EITI process. The Secretariat therefore considers that there is no evidence of breach of the EITI protocol: Participation of civil society related to freedom of expression.

#### Operation (Requirement 1.3.a,b,e.ii and Civil Society Protocol provision 2.2)

*There is an enabling environment for freedom of operation and civil society is freely and proactively operating in relation to EITI (#1.3.a,b,e.ii and CSP 2.2)*

There have been no legal or regulatory reforms related to civil society organisations' ability to register, operate, communicate or raise funding since the period reviewed in the previous Validation (up to October 2022). Law 04-038-PRM of 2004 continues to govern associations in Mali, based on a regime of declaration for establishing CSOs. The rapid rise in CSO registrations since 2021 following the easing of registration procedures in 2021 after the second coup d'état was covered in the previous Validation and highlighted in the 2021 [CSO Sustainability Index](#) for Mali, although there are no updated figures on the number of CSO creations in 2022 or in 2023 in the public domain.

In practice however, the government has taken several steps since October 2022 that have constrained the operations of CSOs operating with some types of foreign funding. In November 2022 following France's [announcement](#) of the suspension of its official development aid to Mali (while maintaining humanitarian aid), the government issued a [communiqué](#) banning the activities of all CSOs that operated with funding or other support from France, including in the humanitarian field. This move was criticised as a new constraint on civic space by international NGOs such as [CIVICUS](#). In December 2022, the Swiss humanitarian NGO 'Geneva Call/ Appel de Genève' was banned by a government decree due to its alleged "illegal activities", even if the decree does not define the specific activities. In an [update](#) on Mali, CIVICUS relates some news sources' allegations that the ban was linked to NGO's invitation to the former rebels of the Coordination of Azawad Movements to Geneva for the signature of a commitment to improve respect of humanitarian law. Following the ban on civil society funding from France, the Ministry of Territorial Administration and Decentralisation (MATD) enacted instruction 2022-003115/MATD-SG introducing a package of monitoring regulations for foundations and



associations, including the requirement for a ‘no objection’ letter from MATD for any foreign financing of CSOs. Consultations with development partners also indicated that the stricter government monitoring of CSOs under Law 04-038-PRM of 2004 continued since the previous Validation, with requirements for NGOs to report to the government on a monthly, rather than annual, basis. Several CSOs argued that this was only a bureaucratic requirement and that no one actually reads the NGOs’ reports, either monthly or annual.

Civil society stakeholders directly engaged in the EITI process stated categorically that they faced no restrictions from government on their freedom of operation. This view was echoed by consulted representatives from the other two constituencies directly engaged in the EITI. The MSG’s ‘Stakeholder engagement’ template argues that civil society operate freely in relation to the EITI process and that they operate independently in terms of organising their constituency. As evidence, the template notes that civil society organised dissemination activities around the 2020 and 2021 EITI Reports in 2023 prior to the MSG’s own planned dissemination activities. There is no indication from stakeholder consultations or documentation review that the government is monitoring civil society’s online or offline communications, either generally or related to CSOs working on extractive issues.

Many development partners raised significant concerns over these reforms. Several partners considered that there were several examples of CSOs having publicly expressed views that could be considered critical of the government who were subsequently not granted a ‘no objection’ on their access to funding by the MATD. This practice does not seem to have current impact on civil society organisations involved in EITI process. The Secretariat was not able to find evidence of a CSO directly involved in the EITI process being denied access to funding by the MATD (Ministry of the Territorial Administration and Decentralisation). Several partners consulted explained that these regulations had caused delays in the provision of funding for some CSOs engaged in the EITI, such as PWYP Mali. Some partners also noted that the government’s sceptical approach to foreign funding also extended to the selection of consultants for technical assistance projects in the extractive industries. None of the civil society stakeholders consulted considered that there had been any government constraints on their ability to access international funding and that it was only a retaliatory move from the government to ban French funding for any NGO after France froze its development assistance in late 2022. They noted that all CSOs they were in contact with had duly received ‘no objection’ notices from government on their foreign funding, citing examples of funding for CSOs like FDS, ASCOM and PWYP accessing funding from sources including Germany, the EU and PWYP International. Despite some partners having noted delays on funding, the fact-finding mission in Bamako in June 2024 the Secretariat did not find evidence of restriction of foreign funding in practice for stakeholders engaged in natural resource governance and development partners confirmed that they continue to support civil society in Mali.

While acknowledging the increased monitoring, the Secretariat did not find evidence of a breach of the EITI protocol: Participation of civil society related to freedom of operation, in view of the possibility to access foreign funding in practice as confirmed by supporting countries during the fact finding mission.

### Association (Requirement 1.3.a,b,e.iii and Civil Society Protocol provision 2.3)

*There is an enabling environment for freedom of association and civil society is freely and proactively associating in relation to EITI (#1.3.a,b,e.iii and CSP 2.3)*

Freedom of association remains guaranteed in the new Constitution approved in the June 2023 referendum, as in the previous Constitution reviewed in the last Validation. There do not appear to be any new government constraints on civil society's ability to freely associate with each other on all aspects of the EITI process and public debate on extractive industry governance. While international rankings of civic space such as the [2023 Freedom in the World](#) highlight the impact of ongoing insecurity in parts of the country as imposing restrictions on civil society's movements, these restrictions do not appear to come from a pattern of government actions to specifically restrict the movement of CSOs but rather to the effects of the ongoing conflicts (see Annexe A). The MSG's 'Stakeholder engagement' template argues that civil society is able to communicate and collaborate with each other in relation to the EITI process without any constraints. As evidence of this however, the template only cites the three-day outreach and dissemination workshop organised by PWYP Mali in September 2023 to disseminate the 2023 Mali EITI work plan, 2021 annual progress report, 2020 and 2021 EITI Reports as well as the outcomes of Mali's 2022 EITI Validation.

The civil society constituency renewed its full and alternate membership of the MSG for the next three-year term in September 2023, after a process based on the constituency MSG nominations [procedure](#) codified in 2019. This implies that there was a nine-month delay in the renewal of the civil society constituency's MSG membership after the previous members' term expired in November 2022 (despite stakeholder views during the last Validation that the civil society constituency would renew its members in the third quarter of 2022). The constituency has continued to work on MSG nominations through the main civil society coalitions in the country, namely the National Council of Civil Society, the SECO-ONG, the CCA-ONG and the Coordination of Women's Associations and NGOs (CAFO), as well as CSOs specialised on extractive industry issues such as the ASFA-21 and the Civil Society Constituency of the EITI Steering Committee (established as a grouping in 2019). The letters of appointment of new CSO MSG members and alternates are published on the Mali EITI [website](#). However, all of the former MSG members appointed in 2019 were simply re-nominated for another term at the latest renewal, as confirmed in the MSG's template. Many civil society stakeholders directly represented on the MSG argued strongly that they did not consider it a problem that the same MSG members were re-appointed, given the provisions for a two-term limit applied since the civil society coordination guidelines were agreed. They explained that the civil society constituency chair wrote to each organisation represented on the MSG to ask if they wanted to stand for a second term, which each of them confirmed. However, the lack of evidence that the MSG nomination procedure was open to all CSOs in the broader constituency, combined with the six-day timeframe for CSOs to reappoint their MSG members, implies that the renewal of civil society representation on the MSG did not follow an open and transparent process, which was raised as a concern in the last Validation.

The MSG's 'Stakeholder engagement' template lists four main ways in which the broader constituency coordinates on EITI implementation, including mailing lists, groups for exchanging

information, press conferences and community workshops and forums. The evidence provided of these regular contacts includes four emails in September 2023 from civil society MSG members to the broader constituency circulating draft minutes of meetings for comment, although the responses to these emails consisted only of acknowledgments of receipt. Aside from general reference to telephone contacts and exchanges over social media between CSOs, the MSG's template also highlights the establishment in July 2023 of local level multi-stakeholder platforms for dialogue between community representatives in the communes of Bougouni et Galamina. The composition of these local MSGs includes civil society, trade unions, traditional chiefs and artisanal miners according to the ToR and concept note for these groups published on the Mali EITI [website](#). Several CSOs consulted considered that the establishment of these local groups in July 2023 was a significant achievement and argued that this would lead to regular and sustained links between community-based organisations and CSOs based in the capital city. However, CSOs consulted did not provide additional clarity on the mechanisms for regularly consulting these groups nor whether their sources of funding were sustainable.

The International Secretariat's view is that there is an issue with civil society engaged in the EITI process in Mali with regards to its lack of adequate representation perpetuated by sitting CSO MSG members. The CSOs have substantially reconducted the same constituency members from year to year since Mali joined the EITI. This situation has affected their ability to meaningfully engage in key extractive sector issues. Many stakeholders outside the MSG deplored the lack of renewal of MSG civil society members, with some of them having been members since 2007. Despite requests to include diverse NGOs, unions, and professional associations, MSG membership has remained largely unchanged. Concerns were raised about the civil society constituency of the MSG being concentrated on the local PWYP coalition, in effect leading to the civil society representation in the EITI being dominated by a small group with limited capacity. Some stakeholders pointed out that those members do not have the capacity to oversee the broad range of issues in the EITI Standard today. Development partners also did not see civil society members on the MSG to be representative of local communities, as most of them are Bamako-based NGOs with sporadic activities in mining regions.

While the Secretariat did not find evidence of breaches to the EITI protocol: Participation of civil society related to freedom of association, it considers that the weaknesses in the constituency's links to community-based organisations have persisted since the last Validation.

### Engagement (Requirement 1.3.a,b,e.iv and Civil Society Protocol provision 2.4)

*There is an enabling environment for freedom of engagement and civil society is freely and proactively engaging in relation to EITI (#1.3.a,b,e.iv and CSP 2.4)*

There is evidence of civil society MSG members' engagement in all aspects of the EITI process, including active participation in MSG meetings, input to the design and planning of the EITI process, as well as outreach and dissemination. While minutes of MSG meetings provide only a succinct summary of agenda items and agreed decisions, rather than the substance of MSG discussions, there is evidence that MSG members actively participate in MSG deliberations, as

also confirmed in stakeholder consultations. The MSG's 'Stakeholder engagement' template argues that the civil society constituency regularly organises workshops and capacity building events for civil society on the EITI process. There is evidence of some public events held by civil society in the period since the last Validation, as documented in the MSG's 'Stakeholder engagement' template. In March 2023, the PWYP Mali coalition published a position [statement](#) on the recent audit of gold mining companies. The same month, the coalition also held a [press conference](#) about the prospects for critical minerals mining (particularly lithium) in the context of the energy transition. Finally, the PWYP Mali coalition held a two-day [workshop](#) in February 2023 to deliver capacity building to civil society, the media and the MSG on the objectives of contract transparency. The MSG's template also highlights civil society's [participation](#) at the EITI Global Conference in June 2023 and PWYP Mali's peer learning [visits](#) to [Burkina Faso](#) and [Guinea](#) in July 2023 as evidence of the constituency's engagement in the EITI process. Furthermore, other examples of public intervention of CSO in Mali on relevant topics related to natural resource governance includes: PWYP Mali's [publicly demanding in June 2024](#) the publication of the operating agreement of Goulamina lithium mine, , a conference on local content in December 2023, and a [workshop](#) in December 2023 on environmental and social assessment mechanism for mining projects in Mali.

There is some evidence that the civil society constituency engaged in the EITI, which has been dominated by Bamako-based CSOs since the inception of the EITI process in Mali, has made efforts to expand links with organisations based in mining communities and to reinforce the constituency's coordination. With support from PWYP International, the PWYP Mali coalition established local level multi-stakeholder platforms in the communes of Bougouni et Galamina in July 2023 as forums for outreach and dissemination, although there is little documentation available of the topics discussed at these events or the way in which local discussions are channelled back to the Mali EITI MSG. Several CSOs consulted explained that Bamako-based CSOs had travelled to these communities in July 2023 to establish the multi-stakeholder groups, but that the intension was for those groups to act as local forums for consultations of host communities, a means of collecting and centralising grievances related to mining and to organise local organisations' advocacy towards the state. The PWYP Mali coalition also conducted punctual outreach in the commune of [Danou](#) in November 2022. However development partners did not see civil society members on the MSG to be representative of local communities, as most of them are Bamako-based NGOs with sporadic activities in mining regions. The sustainability of funding of these local groups and feedback mechanisms to Bamako-based CSOs and the EITI process remain unclear to the International Secretariat.

The MSG's template argues that civil society MSG members have been proactive in their consultations on the EITI process with the broader constituency both at the national and community levels, through dissemination channels including workshops, radio broadcasts, press conferences, webinars, etc. For instance, PWYP Mali, which is directly represented on the MSG and acts as constituency coordinator, organised a three-day workshop with support from the World Bank's Mining Sector Governance Project (PGSM) on 19-21 September 2023 as a key channel for collecting feedback on the 2023 Mali EITI work plan, the 2021 annual progress report and the 2020 and 2021 EITI Reports. The meeting was also aimed at providing feedback to the broader constituency on the outcomes of Mali's 2022 EITI Validation, some 11 months after the Validation concluded. Terms of Reference and a report from this workshop are

published on the Mali EITI [website](#). However, the workshop report indicates that the 2023 work plan and 2021 annual progress report were only disseminated to the audience, with little evidence of input from participants to the development of future work plans or annual progress reports. While the MSG's template provides a link to [emails](#) where the broader constituency's feedback on the 2023 Mali EITI work plan was forwarded to the MSG in December 2022, the emails only indicate substantive input from a single CSO (ADH Mali) while others simply acknowledged receipt.

There is some limited evidence of use of EITI information by civil society in media articles and broadcasts. The PWYP Mali coalition broadcast a video [magazine](#) in late September 2023 on the prospects for lithium exploitation in Mali. The coalition also held a [workshop](#) in Bamako in July 2023, bringing together key stakeholders to discuss proposed reforms in the planned new Mining Code. The MSG's template also highlights the publication of two simplified guides for communities hosting extractive activities on mining companies' environmental obligations and on community engagement in local-level multi-stakeholder platforms, published on the Mali EITI [website](#).

The Secretariat does not find any evidence of government constraints on civil society's ability to engage in all aspects of the EITI process, beyond restrictions on general civic space outlined in previous sections. However, the Secretariat considers that there continue to be weaknesses in the broader constituency's engagement in the EITI process, given the focus on ad hoc dissemination of EITI information rather than more genuine consultations with the broader constituency.

### Public decision-making (Requirement 1.3.a,b,e.v and Civil Society Protocol provision 2.5)

*There is an enabling environment for access to public decision-making and civil society is freely and proactively accessing public decision-making in relation to EITI (#1.3.a,b,e.v and CSP 2.5)*

All civil society stakeholders consulted directly engaged in the EITI process considered that they were able to use the EITI process to influence public decision making on extractive industry governance. The MSG's template notes that civil society's views are "generally" taken into account by the MSG and that the constituency is able to influence the MSG's work. The template also lists examples of civil society issuing statements or holding press conferences to use EITI findings and the EITI process to influence public debate on the extractive industries. Civil society held press conferences since the last Validation on issues including calling for more transparency in licensing practices, advocating for the full publication of contracts (including annexes and amendments), and the need for formalisation of artisanal mining.

There is also evidence that civil society has been able to access government decision-makers as a result of the EITI process. For instance, in July 2023 the PWYP Mali coalition was [received](#) by the Mining Sector Stakeholder Committee of the National Transition Council to provide input to the new draft Mining Code. Minister of Mines Amadou Keita, nominated in July 2023, has [consulted](#) stakeholders including the Chamber of Mines and PWYP Mali upon his nomination. The PWYP Mali coalition has continued to use the EITI process for advocacy and access to public decision-making, for instance through a press conference in March 2023 demanding the



publication of the Goulamina lithium mine contract awarded in August 2019, which was [covered](#) in the national press.

However, the Secretariat considers that civil society's ability to use the EITI process to influence public decision making on extractive industry governance has declined since the previous Validation. Civil society calls for publication of the mining audit presented to the President in March 2023 have gone unanswered. There is evidence of some limited consultations with civil society on reform of the Mining Code in April-August 2023. Several CSOs consulted considered that the nature of advocacy is to continue until it achieves its objectives and highlighted the effectiveness of civil society campaigning that led to the publication of hundreds of mining contracts. While the Secretariat recognises these civil society achievements in transparency of documents, observers pointed out that civil society representation has not changed since 2007, and that those members do not have the capacity to oversee the broad range of issues in the EITI Standard today.

Thus, while the Secretariat found no evidence of government constraints on civil society's ability to use the EITI process to access public decision making on extractive industry governance, the Secretariat considers that there is scope to make this access to public decision making more inclusive of the broader civil society constituency.

### Corrective actions and recommendations

In accordance with Requirement 1.3, Mali should ensure that there are no government constraints on civil society's freedom of expression in relation to all aspects of the EITI process and public debate on extractive industry governance, including in all resource-rich regions of the country. The multi-stakeholder group should monitor how CSO engagement in the EITI process occurs and identify any circumstances or incidents, no matter the origin, that affect CSOs capacity to freely assemble, express, operate and participate in public debate on mining governance without fear of reprisal. In the event of any breaches, the government should address these concerns to guarantee the conditions for civil society participation established in the EITI protocol for civil society. The MSG and the government are encouraged to ensure that CSOs engagement, including from mining regions, is made possible through adequate capacitation.

Civil society coalitions represented on the MSG should liaise with their broader constituency, including civil society in communities affected by mining. The constituency should strengthen its representativeness by refreshing its representation on the MSG through a free, open and inclusive nomination process that strikes a balance between renewal of representation and preservation of institutional knowledge about the EITI process.

### 3. Assessment of contract and license allocations (Requirement 2.2)

#### Findings from the previous Validation

Mali's 2022 Validation found that Requirement 2.2 was partly met. While the MSG made efforts to address corrective actions from the previous Validation, it had not discussed license and contract allocations and transfers that were the focus of public debate, such as the transfer of ownership of the Yatela mine to the state in 2019 or the semi-industrial nature of operations on many artisanal and small-scale permits, of key relevance to the government's mining formalisation strategy through the creation of 'artisanal mining corridors'. There was no evidence that Mali EITI had expanded the coverage of its EITI reporting to semi-mechanised mining licenses granted by the Ministry of Mines, Energy and Water. The lack of discussion of these licensing issues within the framework of Mali EITI was a significant concern and hindered a comprehensive assessment of whether statutory procedures for awarding and transferring mining rights were followed in practice. In its comments on the draft assessment of the 2022 Validation report, the MSG noted that it had reviewed the materiality of payments associated with artisanal and small-scale mining licenses and had concluded that they were not material, but that the 2019 EITI Report had nonetheless provided the government's unilateral disclosure of revenues from companies holding such licenses. The MSG's comments did not clarify the reasons why it did not review the practices of awards and transfers of artisanal and small-scale mining licenses, however. The comments noted that artisanal mining activities were only allowed in artisanal mining corridors and that artisanal mining activities in other areas were entirely informal.

Most stakeholders consulted from all constituencies considered that the objective of transparency in licensing practices was achieved through Mali's EITI reporting. However, there were still concerns over the comprehensiveness and reliability of the MSG's assessment non-trivial deviations in contract and license awards and transfers in 2019, given the exclusion of certain awards and transfers from the MSG's sample of licenses analysed and the lack of information on the methodology adopted for identifying non-trivial deviations from statutory procedures. Validation concluded that there remained both technical gaps in disclosures related to reviewing licensing practices, and still much distance from the objective of transparency in licensing practices given the lack of Mali EITI attention to important public debates related to the mining sector, such as license transfers and renewals that have been the subject of public debate.

#### Summary of progress since last Validation

**The Secretariat's assessment is that Requirement 2.2 is partly met, as in the previous Validation.** The Secretariat's view is that the objective of providing a public overview of awards and transfers of oil, gas and mining licenses, the statutory procedures for license awards and transfers and whether these procedures are followed in practice, is still far from being fulfilled. This view is based on discrepancies in public information on the number of mining licenses awarded in the

period under review and weaknesses in Mali EITI's diagnostic of deviations from statutory procedures in license award and transfer practices in 2021. While there have been perfunctory improvements in the MSG's narrow review of licensing practices in the mining sector in the latest EITI Report, this review was conducted in isolation of a government-commissioned mining audit. While the mining audit reportedly identified significant deviations from statutory licensing procedures, government officials consulted rejected the findings of the EITI Report that there were deviations in license awards in 2021 and argued strongly that there had been no deviations in practice. Thus, the lack of clarity on deviations from statutory procedures in licensing practices remains a significant concern, particularly given the hundreds of mining licenses awarded in 2021-2022. Most stakeholders consulted from all constituencies considered that the objective had been fulfilled given the improvements in Mali EITI reporting on licensing for industrial mines. The MSG's own Validation template on this requirement reflected its self-assessment that the objective was fulfilled. While the Secretariat concedes that there have been improvements since the previous Validation, it considers these narrowly related to EITI reporting focused on industrial mining, rather than a basis for improving public oversight and governance of mining licensing practices.

The Secretariat's assessment is that there have been marginal improvements in Mali EITI's disclosures related to extractive rights awards and transfers, but that many of the required technical aspects of Requirement 2.2, as well as corrective actions from the last Validation, have not yet been addressed. Mali has used its EITI disclosures to clarify the statutory procedures for the award and transfer of mining rights and has strengthened its methodology for a diagnostic of licensing practices, although there remain inconsistencies in the number of licenses awarded in 2021 and gaps in Mali EITI's review of license award and transfer practices, that do not allow the public to comprehensively conclude on whether there were non-trivial deviations from statutory licensing procedures in practice. With regards to Mali's progress since the last Validation on the corrective actions related to Requirement 2.2, the Secretariat considers that there have been some improvements, but that there remain aspects of the requirement that remain outstanding. Mali has improved its description of the statutory mining license award and transfer procedures, including the technical and financial criteria assessed. However, while Mali has expanded its diagnostic work to identify non-trivial deviations in licensing practices, by expanding the sample of licenses examined, it has continued to not cover licensing of artisanal mining at the municipal level. Equally of concern, the MSG was not provided access to the results of a landmark mining audit that reportedly identified significant deviations in licensing practices from statutory procedures, and continued to undertake its EITI-specific diagnostic of licensing practices in isolation of ongoing government reforms directly related to this topic. While Mali was encouraged to expand its review of licensing practices to mining rights awards beyond the period under review by EITI reporting, there is no indication in documents provided for this assessment that the MSG has considered this option. Likewise, it has not yet expanded its EITI disclosures to comment on the efficiency of licensing practices. The long-planned Mali EITI study of artisanal mining has not progressed since the last Validation, although a development partner noted that a government strategy for the artisanal mining sector was currently being developed. Thus, the Secretariat considers that the gaps in Mali EITI's review of licensing practices are particularly serious given the significant public debate in the national and international press in late 2022 and 2023 around alleged deviations from licensing procedures in Mali.



## Broader context

### Regulatory reforms

On 28 November 2022 and based on the Office of the Auditor General's report, the government suspended all new mining license awards until further notice, with the stated aim of "*improving the process for awarding and monitoring mining licenses*". The government also established a new state-owned enterprise, Société de Recherche et d'Exploitation Minière du Mali (Sorem SA), in the mining sector earlier in November 2022, with the objective of taking an active role in developing new mines and strengthening government revenue collection from the mining sector. This moratorium on new licensing remains in place as of August 2023. In early August 2023, the government adopted a new Mining Code, replacing the former Mining Code enacted in 2019 and implemented since November 2020. The new code increases the ceiling for the state's equity in mining production license holders from 20% to 30% (allowing the state to purchase up to an additional 20% interest in addition to its statutory 10% free equity), and reserves a 5% equity interest to Malian investors as a 'right of first refusal'. These reforms aim to increase the mining sector's contribution to Mali's GDP from 9% to 20% and to generate an additional XOF 500bn (around USD 800m) in government revenues compared to the previous fiscal regime, according to [coverage](#) in the international media. The reforms also reduced the timeframe of licenses to a period of 12 years renewable for large-scale mining production licenses and a maximum length of nine years for exploration licenses. The implementing decree for this new Mining Code had not yet been enacted as of October 2023. However, mining companies that are already producing in Mali (such as [B2Gold](#)) have briefed their investors that they expect the 2023 Mining Code to apply only to new developments and that existing mines continue to be governed by their mining conventions and thus under the applicable Mining Code at the time of the conventions' conclusions.

### Allegations of mining rights awards to armed groups

Speculation in the international press and among foreign think tanks has continued around allegations of the award of mining rights to private armed groups such as the Wagner group of private military contractors. The [announcement](#) of sanctions against Russian national Andrey Nikolayevich Ivanov and Malian Air Force Deputy Chief of Staff Lieutenant Colonel Adama Bagayoko by the US Treasury's Office of Foreign Assets Control (OFAC) in June-July 2023 alleges that the two were involved in negotiating weapons deals and access to mining concerns involving the Wagner group in Mali. While there has been press coverage from international outlets (Jeune Afrique, among others) alleging that mining rights may be attributed to armed groups, it is the Secretariat's understanding based on stakeholder consultations that there is no evidence to solidify such allegations to date.

International observers including Le Monde in a February 2023 [article and the](#) Global Initiative against Transnational Organized Crime in a February 2023 [report](#) concede that there is no evidence that any new mining agreements or transfers of mining assets to such armed groups have been concluded to date. This was echoed in consultations with stakeholders from all constituencies during the International Secretariat's in-person mission to Bamako in June 2024.

The government issued an Inter-Ministerial Order in December 2022 mandating the collection of beneficial ownership data. There is no documentary evidence of the progress in beneficial ownership data collection. Without beneficial ownership information in the public domain, the ultimate ownership of companies holding licenses awarded in the period under review remains unclear. Progressing on disclosures of beneficial owners of companies holding mining licenses would allow the MSG to provide analysis of ownership structures, and shed more light on allocation of mining rights.

### Contract and license awards (Requirement 2.2.a-c)

A mining contract (convention) is associated with four types of mining licenses<sup>2</sup>, while the other types of mining licenses are not accompanied with a contract. Annexe 11 of the 2021 EITI Report provides a list of 369 mining licenses awarded in 2021, including 113 research licenses, 239 exploration authorisations, four quarrying authorisations, 11 small-scale mining licenses and two prospection authorisations. Annexe 17 provides a list of only 139 mining contracts awarded in 2021 (provided by the mining licensing authority, the DNGM), without providing more updated information on contract awards in 2022 onwards. The reference to two prospection authorisations listed in Annexe 11-5 appear to include a typo, since the 2021 EITI Report (Section 4.1.9) states that there were awards of two large-scale mining exploitation licenses in 2021 (which are not listed in Annexe 11) and no awards of any prospection authorisations in 2021. In consultations, the IA and government officials explained that there had been extensive discussions between the IA and the DNGM to build a comprehensive list of license and contract awards in 2021 for the EITI Report, and the IA expressed scepticism over whether the list included in the report was indeed comprehensive. The IA and government officials stated categorically that the mining cadastral portal was not comprehensive. A development partner considered that there had been political instructions for certain mining licenses to be awarded without using the mining cadastral system (prior to the November 2022 moratorium on licensing), which explained why the cadastral portal was no longer comprehensive of all mining licenses. As of September 2023, Mali's online cadastral [portal](#) lists 370 mining licenses awarded in 2021, 252 mining licenses as awarded in 2022, and no mining license awarded in 2023 given the moratorium on new mining license awards since November 2022 as the government launched the mining audit.

Both the list of license and contract awards in Annexes 11 and 17 of the 2021 EITI Report and the cadastral portal provide information on the names of each license awarded and of the company receiving the license, as well as the date of award. The 2021 EITI Report (Section 4.1.9) provides an overview of the statutory procedures for awarding mining licenses of various types, in accordance with the 2020 implementing decree of the 2019 Mining Code. This description includes a list of technical and financial criteria assessed in license awards, and confirmation that there is no weighting to the different criteria assessed. However, the review of licensing practices in Annexe 12 of the 2021 EITI Report lists nine of the 24 licenses awarded on the basis

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<sup>2</sup> Research license (*"Permis de recherche"*), Production license for quarrying (*"Permis d'exploitation pour les carrières"*), Production license for small mines (*"Permis d'exploitation pour les petites mines"*) and Production license for big mines (*"Permis d'exploitation pour les grandes mines"*) are all associated with a mining contract (*"convention manière"*). Other types of mining licenses are not associated with contracts.

of the 2012 Mining Code, without explanation of why licenses awarded in 2021 would be awarded on the basis of a Mining Code no longer in existence.

There were no oil and gas license awards in 2021, as confirmed in the 2021 EITI Report. Nonetheless, the EITI Report (Section 4.2.6) provides a cursory overview of statutory oil and gas rights awards procedures, albeit without describing the technical and financial criteria assessed other than stating that bid criteria are published before each licensing round for oil and gas rights.

### Contract and license transfers (Requirement 2.2.a)

Transfers of mining licenses are not recorded publicly in Mali's online cadastral [portal](#). The 2021 EITI Report (Section 4.1.9) lists 11 mining licenses as having been transferred in 2021, including nine research licenses, one quarrying authorisation and one small-scale mining exploitation license. Information provided includes the names of each license awarded and of the companies transferring and receiving each license, as well as the date of transfer. There is no information in the public domain on transfers of mining licenses in 2022 or 2023. The 2021 EITI Report provides an overview of the statutory procedure for transferring mining licenses, including technical and financial criteria assessed. As for license awards, the report confirms that there is no weighting to the different criteria assessed.

There were no transfers of participating interests in oil and gas blocks in 2021, as confirmed in the 2021 EITI Report. The EITI Report (Section 4.2.6) does not describe the statutory procedures for the transfer of participating interests in oil and gas blocks, nor the technical and financial criteria assessed in such transfers.

### Assessment of non-trivial deviations from licensing procedures (Requirement 2.2.a.iv)

#### Diagnostic of license awards

Mali has not yet expanded its use of EITI reporting to cover awards and transfers of oil and gas rights outside of the period under review, as encouraged by the last Validation. Thus, Mali EITI has not reviewed the practice of oil and gas licensing given the lack of activity outside of license renewals in recent years (SIPEX declared force majeure on its block for instance). In mining however, Mali EITI has expanded its work on providing a diagnostic of any non-trivial deviations from statutory licensing procedures in the awards of mining licenses in 2021, since the last Validation. The 2021 EITI Report (Section 4.1.9) explains the IA's methodology for assessing non-trivial deviations, which consisted in the selection of a sample of 24 license awards in 2021 out of the total of 369 mining license awards that year (i.e. 6.5% of license awards) for detailed review. This included a sample of nine exploration authorisations, nine research licenses, four quarrying licenses and two large-scale mining exploitation licenses. The IA reviewed the documentation in each license award dossier in order to identify evidence of any non-trivial deviations from statutory procedures. In consultations, the IA confirmed the selection of licenses was random.

The results of this review of licensing practices (in Section 4.1.9 and Annexes 12-1 to 12-5 of the 2021 EITI Report) identifies deviations in the awards of 15 of the 24 licenses reviewed, primarily linked to the lack of reports assessing the technical and financial criteria of applicants. However, the 2021 EITI Report does not reference the MSG's view of whether these deviations from statutory procedures constitute 'non-trivial' deviations. More confusingly, the detail of the IA's review of license awards in Annexes 12-1 to 12-5 indicate that nine of the 24 license awards reviewed (for research licenses and quarrying authorisations) were awarded on the basis of the 2012 Mining Code rather than the 2019 Mining Code, while the 15 other licenses awarded in 2021 (including large-scale mining exploitation licenses, research licenses and exploration authorisations) were awarded on the basis of the 2019 Mining Code. There is no explanation in the 2021 EITI Report of the reasons for certain mining licenses being awarded based on the 2012 Mining Code even after the implementing decree for the 2019 Mining Code was issued in November 2020. The IA and some government officials consulted explained that license applications submitted prior to enactment of the 2019 Mining Code's implementing decree in November 2020 had been processed under the 2012 Mining Code. They explained that the legal basis for the award of licenses was determined to the date at which the application was received, not the period when the license application was processed. Therefore, it was deduced that it had taken more than six months to process the applications for the nine licenses awarded in 2021 under the 2012 Mining Code. However, several CSOs consulted asked for urgent clarification of the reasons for these awards under the 2012 Mining Code in 2021 and considered that this could imply significant deviations from statutory licensing procedures. The Secretariat considers the lack of explanation of these nine license awards in the 2021 EITI Report a serious concern, given the lack of consensus among MSG members consulted over the reasons for these licenses being awarded on the basis of the previous Mining Code.

The Auditor General's November 2022 [report](#) on the management of Mali's mining cadastre over the 2018-August 2021 period identified significant deviations from statutory licensing procedures. In particular, the report found that 12 of the 62 license allocation dossiers reviewed did not include copies of audited financial statements of the applicant for the three previous years, as required by law as part of the financial criteria statutorily assessed in mining license awards. The report links such deviations from statutory licensing procedures to the broader context of the award of a large number of mining exploration licenses that are not subsequently developed, the practice of artisanal mining and illegal mining production, which lead to lower government revenues from the sector. The report concludes that *"the award of mining rights to applicants that do not have the required technical and financial capacities does not guaranty an efficient exploitation of the rights granted"*. While the Auditor General's report only covers the first eight months of 2021, several of the mining rights awards reviewed appear to have taken place in the first eight months of 2021 (i.e. when the 2019 Mining Code was already in force, following the November 2020 enactment of its implementing regulations). The audit report garnered significant [coverage](#) in the national press. Thus, while the MSG's more robust methodology in assessing non-trivial deviations in mining license awards is welcome, the Secretariat's view is that there remain gaps in the diagnostic of licensing practices in 2021. This is due to the lack of EITI disclosures explaining why certain licenses were awarded on the basis of the 2012 Mining Code in 2021 and the lack of MSG conclusions on whether practical deviations

identified constitute ‘non-trivial’ deviations, in a context of vibrant public debate in 2022 and 2023 regarding allegations of non-trivial deviations in licensing practices.

In March 2023, the Ministry of Economy and Finance concluded an audit of the mining sector launched in May 2022. The audit of large-scale industrial mines, carried out by Malian consultancy Iventus Mining and the Senegalese branch of Mazars, explicitly aimed at improving potential revenues from the sector and included a review of mining license allocations. While the audit report has not been published to date, as has been criticised by the PWYP Mali coalition including at a May 2023 press conference [covered](#) by national media, media [reports](#) indicate that the audit identified irregularities in the award of licenses and the oversight of the country’s 15 industrial mines. This builds on findings of a November 2022 [report](#) on the management of Mali’s mining cadastre over the 2018-2021 period from the Office of the Auditor General (*Bureau du Verificateur General*) that identified a total of XOF 288bn (around USD 440m) in financial irregularities in the mining sector, including accusations that the Malian subsidiaries of Barrick Gold (Société des Mines de Loulo SA, Société des Mines d’Or de Gounkoto) and Resolute Mining (Société des Mines de Syama S.A) did not pay all of the dividends they owed to the state, as reported in the foreign [press](#).

In consultations, all stakeholders confirmed that the mining audit report was not public and that it had provided key input to the reforms of the Mining Code in April-August 2023, although opinions differed on the audit report’s status. Several government officials argued that the mining audit report was not yet finalised given that the mining companies themselves were now being given the right to respond to the audit’s “preliminary findings”. Several companies and development partners confirmed that companies had not been given a right of response to the mining audit, which had provided the basis for reform of the Mining Code. While some MSG members noted that the MSG had discussed the mining audit in general terms, there is no documentation of these discussions despite the relevance of the mining audit’s findings to Mali’s EITI reporting. The Secretariat considers that the 2021 EITI Report’s review of a sample of license awards represents a perfunctory improvement since the last Validation, but notes with concern the lack of alignment of the EITI’s diagnostic of mining licensing with other government-commissioned audits of the mining sector.

### Diagnostic of license transfers

Mali EITI adopted the same procedure for identifying deviations from statutory procedures for license transfers in 2021 as for its review of license awards. The IA selected five of the 11 license transfers in 2021 for review, including three research permits and the one quarrying authorisation and one small-scale mining exploitation license transferred in 2021. The IA also reviewed the cancellation of 21 mining licenses in 2021. However, the 2021 EITI Report does not appear to provide the conclusions of the IA’s review of the practice of these five mining license transfers in 2021, with no conclusions on whether there was evidence of any non-trivial deviations from statutory transfer procedures. Thus, the Secretariat’s view is that there remain gaps in the diagnostic of mining license transfers in 2021 given the lack of publicly available conclusions on Mali EITI’s review of a sample of license transfers in 2021.



## Corrective actions and recommendations

In accordance with Requirement 2.2, Mali should ensure that there is consistent public information on mining license awards and transfers, including an assessment of any material deviations from the applicable legal and regulatory framework governing license transfers and awards in the period under review by EITI reporting. Mali should ensure its diagnostic of mining licensing practices draws on other relevant reports, such as the 2022-2023 mining audit. Mali should ensure that information on oil and gas license awards and transfers is publicly disclosed, including the process for awarding and transferring licenses, including technical and financial criteria assessed in accordance with statutory licensing procedures. To strengthen implementation upon the re-opening of the mining cadastre, Mali should adopt measures to mitigate the risks of corruption in the process of reopening the mining cadastre to avoid the backlog of applications.

To strengthen implementation, Mali EITI could publish commentary on the efficiency and effectiveness of licensing procedures, and a description of procedures, actual practices and grounds for renewing, suspending or revoking a contract or license. This commentary should be based on data on the rapid development of the artisanal and small-scale mining sectors. Where companies hold licenses that were allocated prior to the period covered by EITI implementation, Mali is encouraged to disclose the information set out in Requirement 2.2.a on those license awards. Mali is encouraged to consider following up on past Mali EITI recommendations to undertake a dedicated study of artisanal and small-scale mining with a view to increasing transparency in licensing practices in this segment of the extractive industries that garners significant public interest.

## 4. Assessment of license register (Requirement 2.3)

### Findings from the previous Validation

Mali's 2022 Validation found that Requirement 2.3 was fully met. Most stakeholders consulted from all constituencies considered that the objective of transparency in extractive property rights had been achieved through the real-time updates to the mining cadastral portal and the 2019 EITI Report's coverage of the sole active petroleum license. However, development partners consulted expressed strong reservations and considered that the objective was partly met, due to allegations of the potential award of mining rights to armed groups through secret agreements that were not reflected on the cadastral portal.

Mali had used its EITI reporting to provide an overview of the Ministry of Mines, Energy and Water's mining cadastral system, although it had not yet undertaken a review of the comprehensiveness of the cadastre. The cadastral portal provided all information listed under Requirement 2.3.b for the 2,644 mining licenses active at the commencement of Validation. In-country stakeholders consulted from all constituencies categorically rejected the allegation that there were 'secret' agreements awarding mining rights to armed groups. Validation considered that the lack of sufficient MSG follow-up on previous (2017) EITI Report recommendations to review the comprehensiveness and reliability of license data in the mining cadastre (given

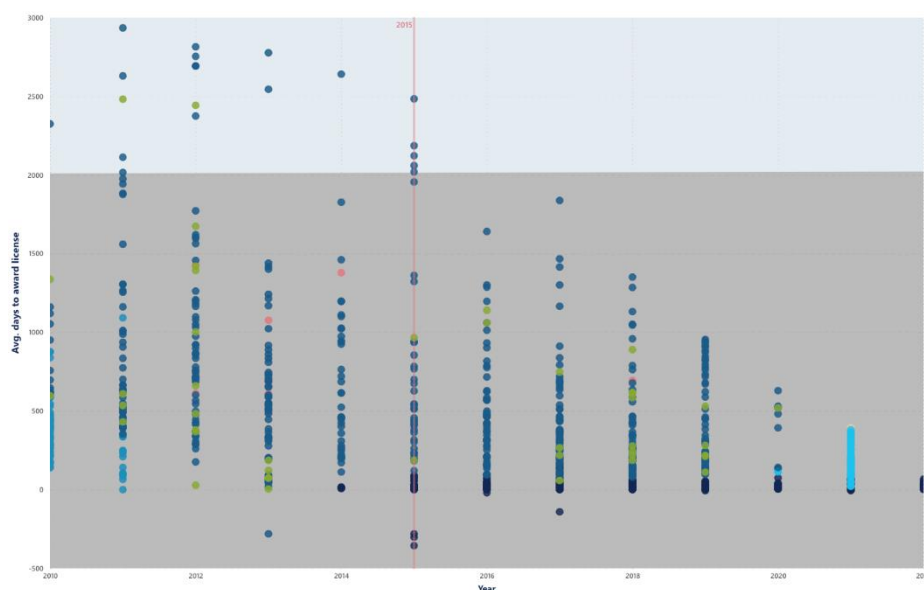
differences in mining license information from the DNGM and the CPS), was a concern, although this was covered under Requirement 2.2. A review of a random sample of licenses in the mining cadastral portal indicated that there appeared to be some inconsistencies in the license data, with the dates of award of several licenses pre-dating the related dates of application. However, these licenses were not held by material companies. With regards to oil and gas licenses, Validation considered that the lack of information on the date of application for Block 25 remained a marginal gap, in line with the assessment in the previous Validation. In addition, most other information listed under Requirement 2.3.b could be reconstituted based on publicly accessible information, and the current date of expiry of the sole active petroleum license was clarified by the MSG in its comments.

## Summary of progress since last Validation

**The Secretariat's assessment is that Requirement 2.3 is mostly met, which is a regression from the last Validation.** The Secretariat's view is that the objective of ensuring the public accessibility of comprehensive information on property rights in the extractive industries is mostly fulfilled. Amidst the moratorium on new mining license awards since November 2022, the publicly available license information in Mali's online cadastre does not appear to be updated and Mali's own 2021 EITI Report raises significant concerns over the comprehensiveness and reliability of license information in the cadastre. The opinions of stakeholders consulted on the objective were somewhat split on this issue, although several government officials and national secretariat staff consulted confirmed the EITI Report's concerns that the cadastre did not cover all active mining licenses. The MSG's own Validation template on this requirement reflected its self-assessment that the objective was only mostly met.

The Secretariat's assessment is that there are gaps in many required technical aspects of Requirement 2.3, particularly related to the comprehensiveness of data. The cadastral portal provides all information listed under Requirement 2.3.b for a total of 955 mining licenses active at the commencement of this Targeted Assessment (out of a total of 2850 license records in the cadastral portal). However, the 2021 EITI Report notes that the IA found "major deficiencies" in the mining cadastre, including in the number and identity of active mining licenses. In consultations, the IA explained that it had received significantly different information on active mining licenses and license awards in 2021 from the Ministry of Mines, compared to the data publicly accessible in the cadastral portal. There is no evidence that the MSG has yet followed up on recommendations from past Mali EITI Reports to address discrepancies in active mining lists across different government departments such as the National Geology and Mining Department (DNGM) and the government's Mining and Energy Sector Planning and Statistics Cell (*Cellule de Planification et de statistique du secteur mines et énergie* – CPS). A review of exploration licenses in the mining cadastral portal indicated that there appeared to be some inconsistencies in the license data, with the dates of award of several licenses pre-dating the related dates of application (see *figure below*).

**Figure 1:** Time between dates of application and of award for exploration licenses awarded in 2010-2022



Source: Mali mining cadastral [portal](#). International Secretariat analysis available on this PowerBI [dashboard](#).

With regards to the two active (exploration) licenses in the oil and gas sector (Blocks 4, 20 and 25), the 2021 EITI Report provides only the names of the blocks and of the operators, as well as a low-definition map, but does not provide the rest of the information listed under Requirement 2.3.b. The Mali EITI [website](#) no longer provides basic data on oil and gas licenses, but the [webpage](#) on hydrocarbon exploration provides the same limited information as the 2021 EITI Report. Nonetheless, the Secretariat continues to consider these marginal gaps, in line with the assessment in the previous Validation, given that neither of the two oil and gas companies operating in Mali was considered to have made material payments to government in 2021. It appears that two of the three oil and gas contracts have been published on the EITI Mali website, although the comprehensiveness of publication of the amendments remains unclear (see *Requirement 2.4*).

In July 2023, the DNGM published a [call for expressions of interest](#) from consultants for the establishment of a new mining cadastre, with funding from the World Bank. Some development partners explained that the tender had seemed politicised, given that the country of origin of the bidders appeared to have been taken into account in selecting a Mauritanian company as the successful bidder.

## Corrective actions and recommendations

In accordance with Requirement 2.3, Mali is required to ensure that its publicly accessible license registers and cadastre systems provide information on all active licenses held by all mining, oil and gas companies, including companies and individuals that are outside the agreed scope of EITI implementation. Mali is strongly urged to follow up on recommendations from past EITI Reports to resolve discrepancies in active mining lists across different government departments. Any significant legal or practical barriers preventing such comprehensive disclosure covering all extractive rights including artisanal mining permits should be documented and



explained, including an account of government plans for seeking to overcome such barriers and the anticipated timeframe for achieving them.

## 5. Assessment of contracts (Requirement 2.4)

### Findings from the previous Validation

Mali's 2022 Validation found that Requirement 2.4 was partly met. Validation found that the objective of transparency in extractive agreements was not fulfilled, given the lack of comprehensive review by Mali EITI of the specific gaps in contract and license disclosure to date and the lack of publication of most amendments to mining contracts, which constrained public understanding of the current terms of active mining contracts. In addition, while the government policy on contract transparency was codified both in the 2019 Mining Code and its implementing decree, the policy on license transparency did not seem to stand on similar solid grounds. Opinions of stakeholders consulted were split over the level of progress towards the objective. Several civil society stakeholders consulted considered that the objective was mostly met, given efforts to disclose a greater number of mining contracts in recent months, even if gaps in publication of certain documents remained. While industry representatives consulted did not express views on progress towards this objective, some government officials considered that the objective had been fulfilled due to the concrete plans by Mali EITI to ensure comprehensive publication of all mining contracts. While the 2019 Mining Code includes provisions for the publication of all mining contracts, including annexes, amendments and riders, it did not appear to cover mining licenses despite defining licenses as a separate category from contracts. The November 2020 implementing decree to the 2019 Mining Code indicated that the model contract template was available to the public. In its comments on the draft assessment, the MSG confirmed that the Mining Code codified the requirement for all mining contracts to be published. However, in the oil sector, there were no provisions to contract and license disclosure in the 2015 Hydrocarbons Code or its implementing regulations. On mining licenses, a standard clause within the licenses states that the license will be "registered, disclosed and communicated wherever there is need", which raised questions about the consistency of license disclosure. There was no evidence of a model license, nor of a comprehensive review by the MSG of the publication of mining licenses issued since January 2021.

The 130 extractive contracts published on the Mali EITI website included 107 contracts awarded since 1 January 2021, although it was unclear whether this was comprehensive of all mining contracts awarded or amended since the start of 2021. The sole active petroleum contract had been published, including annexes and six amendments concluded between 2008 and 2022. Opinions of stakeholders consulted were split over whether there had been any new amendments to mining contracts concluded since the start of 2021. The MSG had been transparent about gaps in publication of certain (unspecified) mining contracts awarded since the start of 2021, but had not yet published a comprehensive list of all active extractive licenses and contracts, including annexes, amendments and riders, indicating which had been publicly disclosed and which had not. The Mali EITI publication plan appeared to only have consisted of a snapshot as of April 2021, rather than a systematic plan for publishing all new (or newly amended) contracts. While a number of mining contracts awarded since 2021 was published in

March 2022, there was no publicly accessible comprehensive list of mining contracts and licenses that clearly identified all contractual documents and confirmed the public accessibility of all documents related to contracts and licenses awarded since the start of 2021. In its comments on the draft assessment, the MSG argued that all mining contracts had been published up to 1 April 2022 but that “some” annexes had not yet been published. The comments argued that a list of all mining contracts had been published on the EITI Mali website, although [this list](#) only covers 35 contracts. Thus, Validation raised concerns over the comprehensiveness of the list of contracts and notes the MSG’s confirmation that several annexes had not yet been publicly disclosed. The published list of extractive rights did not include licenses, or information how to access the full text thereof. In addition, the MSG’s comments noted the lack of clarity on the rules related to the public disclosure of petroleum contracts and licenses.

### Summary of progress since last Validation

**The Secretariat’s assessment is that Requirement 2.4 is partly met, as in the last Validation.** The Secretariat’s view is that the objective of ensuring the public accessibility of all licenses and contracts underpinning extractive activities (at least from 2021 onwards), as a basis for the public’s understanding of the contractual rights and obligations of companies, has not been fulfilled. This view is based on the ad hoc nature of contract publication to date without a comprehensive review of the status of contract disclosure that could enhance the accessibility of published contracts, the lack of publication of the full text of mining licenses to date, and stakeholder concerns over gaps in the publication of contracts, annexes and amendments, including with regards to contracts concluded since January 2021. Despite the hundreds of mining contracts published in the past year, there are no means for public understanding of whether these publications are comprehensive of all mining contracts awarded or amended since 1 January 2021. Stakeholders consulted broadly considered that the objective was in the process of being fulfilled, even if the MSG had not yet published a comprehensive inventory of all published contract and license documents. The MSG’s own Validation template on this requirement reflected its self-assessment that the objective was mostly met.

The Secretariat’s assessment is that significant technical aspects of Requirement 2.4 have not yet been addressed. Mali has made commendable efforts to publish mining contracts, including 11 older contracts on the Ministry of Mines, Energy and Water website and 131 newer (post-2021) mining contracts on the Mali EITI website. However, contract publication has remained ad hoc in nature, without clear and detailed plans to expand publication to all contracts (including annexes and amendments) in the annual EITI work plan. There has been no comprehensive review of published contracts to date with a view to identifying contracts that have not yet been published and as a means of improving the accessibility of mining contracts. There is also no evidence that contract disclosure efforts have been broadened to mining licenses as well, nor of the MSG’s deliberations on whether exploration contracts are considered material. Thus, the Secretariat’s assessment is that significant technical aspects have not yet been addressed and that the objective of Requirement 2.4 remains far from being fulfilled.

### Government policy and planning on contract and license disclosure (Requirement 2.4.b-c)

Mali's 2021 EITI Report provides an overview of the government's contract disclosure policy, which does not add to the publicly available information reviewed in the last Validation. The EITI report (Section 4.1.12) notes provisions (Article 18) of the 2019 Mining Code that require publication of all contracts, including annexes, amendments and riders, but without noting that the Code's 2020 implementing decree only refers to the publication of model contracts (as highlighted in the last Validation). This provision for the publication of all contracts (including annexes and amendments) was maintained in the new [Mining Code](#) (Article 18) enacted in August 2023. Meanwhile the 2021 EITI Report (Section 4.2.7) simply notes that there is no formalised government policy on contract disclosure in the oil and gas sector. However, the 2013 Transparency in Public Finance Management Code (Law [2013-031](#)) requires (Article 1.6) publication of all contracts between the state and extractive industry companies. The International Secretariat does not consider the lack of a formalised oil and gas contract disclosure policy to present a material gap given the existence of only three active oil and gas contract at present.

The 2023 Mali EITI [work plan](#) includes an objective (number 3) on transparency in mining and petroleum contracts, and beneficial ownership. However, the work plan includes only a general activity of "systematically publish all mining and petroleum contracts" rather than specific tasks to develop mechanisms for the systematic publication of the full text of all contracts and licenses. The contract disclosure activities are planned for every quarter of the year involving the licensing authorities (DNGM and ONRP) and Mali EITI, to be funded by the state.

### Contract and license disclosure practices (Requirement 2.4.a)

Mali has published the full text of many contracts on its EITI website, although it has not yet published a systematic review of all active licenses and contracts indicating which has been published and which have not been published (with specific links to access each published document) as mandated by Requirement 2.4.c.ii. The International Secretariat has expended considerable effort to extract key data from the full text of mining contracts, cross-reference this with a list of licenses awarded since January 2021, and identify gaps in published contracts awarded or amended since 2021. However, the International Secretariat considered this necessary in the face of consistent arguments from all government officials consulted that the full text of all extractive contracts and licenses had been published. The general findings of this review are provided in Annexe C, with a link to the detailed review. The findings indicate that the full text of all extractive contracts and licenses awarded or amended since January 2021 (including annexes, amendments and riders) have not yet been comprehensively published online.

Mali EITI has continued to focus on the question of contract disclosure, but not of mining license disclosure (e.g. exploration licenses). There is no evidence that the MSG has considered or discussed the public disclosure of mining licenses beyond general references to the official gazette (*'journal officiel'*). An August 2022 public meeting between civil society and National Geology and Mines Department [covered](#) in the national press indicated that mining contracts had been published without their amendments and annexes to date. At the event, National

Geology and Mines Department Director Karambé Awa Goundiam pledged that all the department would ensure publication of relevant amendments in future as part of its publication of mining contracts. This stated reform does not yet appear to have been implemented consistently.

#### *Disclosure of licenses and contracts since January 2021 (#2.4.a)*

The Mali EITI [website](#) has published 92 mining contracts awarded in 2021 and 88 contracts awarded 2022, as well as one contract amended in each year and 16 contracts pre-dating 2021. However, there appears to have been little effort to categorise them or cross reference these documents to a list of active mining contracts and licenses. It is unclear how many mining contracts have been amended in 2021 and 2022, and whether those amendments or riders have been comprehensively disclosed. Only two amendments (and the underlying contracts) were published for 2021-2022 on the Mali EITI website.

The 2021 EITI Report simply notes that “some” mining contracts awarded in 2021 and 2022 were published on the Mali EITI [website](#). The International Secretariat’s analysis is that there are 370 mining licenses marked as awarded in 2021 on Mali’s online cadastral [portal](#) (as of November 2023) but only 92 mining contracts published as concluded in 2021. Likewise, only 88 mining contracts out of 252 mining licenses marked as awarded in 2022 on the cadastral portal have been published. Annexe 17 of the 2021 EITI Report provides the list of 139 mining contracts awarded in 2021, but does not provide information on contract awards in 2022 onwards. The publication of only 92 of the 139 mining contracts concluded in 2021 on the Mali EITI website to date implies that several dozens of contracts awarded since the start of 2021 have not yet been publicly disclosed.

The Secretariat has cross-referenced the published contracts with those mining production-license holding companies with minority (10%-20%) state participation, and identified gaps in the disclosure of licenses and some contracts held by these companies. The following figure illustrates the findings of this review:

**Table 1:** *Status of contract disclosure related to companies with state participation*

Targeted assessment of Mali (2023)

Assessment of progress in implementing Requirements 1.1, 1.3, 2.2, 2.3 & 2.4 of the 2019 EITI Standard

Status of publication of mining licenses and contracts involving companies with state participation														
Name of company	Acronym	Status	Year of creation	State participation	License	License type	Mineral	License published?	Contract published?	Contract date	Contract link	Amendment 1	Amendment 2 date	Amendment 1 published? Link
Diamond Cement Mali	DCM-SA	SA	2007	10.00%	AE 496/12	Autorisation d'exploitation de c	Limestone	No	N/A	N/A	N/A	N/A		
Diamond Cement Mali	DCM-SA	SA	2007	10.00%	AE 505/12	Autorisation d'exploitation des	Limestone	No	N/A	N/A	N/A	N/A		
Société des Mines d'Or de Goukoto	GOUNKO-SA	SA	2010	20.00%	PE 412/12	<2012 Permis d'Exploitation	Gold	No	Yes	21-Mar-12	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant N°1 GOUNKO1	Jul-19	<a href="#">Avenant N°1 GOUNKO1</a>
Société des Mines d'Or de Kalana	SOMIKA-SA	SA	2003	20.00%	PR 168/11	<2012 Permis d'Exploitation	Gold	No	Yes	23-Dec-02	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant 1 annexé au contrat		<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>
Société des Mines d'Or de Kalana	SOMIKA-SA	SA	2003	20.00%	PE 526/84	<2012 Permis d'Exploitation	Gold	No	Yes	30-Dec-03	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	Avenant-Société AVNEI	17-Feb-15	<a href="#">Avenant-Société AVNEI</a>
Société des Mines d'Or de Loulo	SOMILO-SA	SA	1987	20.00%	PE 528/99	<2012 Permis d'Exploitation	Gold	No	Yes	2-Apr-93	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant Loulo	12-May-20	<a href="#">Avenant Loulo</a>
Société des Mines d'Or de Morila	MORILA-SA	SA	2000	20.00%	PE 524/99	<2012 Permis d'Exploitation	Gold	No	Yes (but no annexes)	28-Apr-92	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Premier avenant Rangc	7-Apr-20	<a href="#">Avenant Rangold</a>
Société des Mines d'Or de Sadiola	SÉMOS-SA	SA	1994	20.00%	PE 482/94	<2012 Permis d'Exploitation	Gold	No	Yes	24-Mar-92	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	Avenant A.G.E.M	5-Apr-90	<a href="#">Avenant A.G.E.M</a>
Société des Mines d'Or de Ségala	SEMICO-SA	SA	2006	20.00%	PE 525/97	<2012 Permis d'Exploitation	Gold	No	Yes	1-Oct-99	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société des Mines d'Or de Syama	SOMISY-SA	SA	1987	20.00%	PE 527/89	<2012 Permis d'Exploitation	Gold	No	Yes	27-Jan-87	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant N°1 BHP Miné	4-Mar-91	<a href="#">Avenant N°1 BHP Miné</a>
Société des Mines d'Or de Yatela	YATELA-SA	SA	2000	20.00%	PE 483/00	<2012 Permis d'Exploitation	Gold	No	Yes	20-May-94	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société Faboula Gold	FABOUL-SA	SA	2002	20.00%	PE 508/97	<2012 Permis d'Exploitation	Gold	No	Yes	4-Mar-92	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société des Mines de Kofi	MIKO-SA	SA	2018	20.00%	PE 304/14	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
Société des Mines de Fekola	FEKOLA-SA	SA	2018	20.00%	PE 308/14	Permis d'Exploitation, Groupes 1	Gold	No	Yes	2-Mar-17	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	TBC		
Société des Mines de Komana	SMK-SA	SA	2018	20.00%	PE 305/14	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	PR 414/09	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	AEX 2303/20	Autorisation d'Exploration	Gold	No	N/A	N/A	N/A	N/A		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	PR 2195/16	Permis de Recherche, Groupes 1	Gold	No	N/A	N/A	N/A	N/A		

Sources: [‘Situation des participations de l'Etat dans les sociétés à la date du 30 juin 2023’](#), [Contracts published on Mali EITI website](#), the [Mali mining cadastre](#), and [Annexe 7 of Mali's 2021 EITI Report](#).

This demonstrates that there are mining contracts held by at least three companies that have not yet been publicly disclosed (those held by Société des Mines de Kofi (MIKO-SA), Société des Mines de Komana (SMK-SA) and Société de Recherche et d'Exploitation Minière du Mali (SOREM-MALI-SA)).

Media coverage in the national press has used a range of different figures when discussing the number of published mining contracts, ranging from around 60 contracts in [coverage](#) from August 2022 to ‘hundreds’ in other media. The PWYP Mali coalition has continued to use the EITI process for advocacy and access to public decision-making, for instance through press conferences in March and May 2023 demanding the publication of the recently-concluded Goulamina lithium mine contract, which was [covered](#) in the national press. The Goulamina contract was awarded to Timbuktu Ressources SARL (a subsidiary of Australia’s Firefinch) and was subsequently transferred to a new entity ‘Lithium du Mali’ in which the state holds an equity interest, with commercial production expected to start in 2024. Government officials and one development partner consulted stated categorically that the Goulamina contract had been published, while CSOs consulted explained that a [contract](#) for Goulamina with Timbuktu Ressources SARL was published on the Mali EITI website, but that the contract was awarded in February 2022 and covered mining of gold, not lithium (indeed this appears to be the contract associated with gold exploration and production license [PR 2019 3005/22](#), rather than with lithium mining license [PE 2040/19](#)). The CSOs explained that they were actively seeking clarification on the status of the Goulamina lithium mining contract. The only two lithium mining contracts published on the Mali EITI website involve a company called African Lithium Mining Ressource (ALMRM) ([Kologo](#) and [Ngonzana](#)). Thus, there are gaps in the publication of mining



contracts awarded or amended since January 2021, including of contracts of high public interest such as the Goulamina contract.

#### *Disclosure of licenses and contracts prior to January 2021 (#2.4.a)*

The 2021 EITI Report simply notes that the Ministry of Mines, Energy and Water [website](#) has published 11 older mining contracts awarded between 1987 and 2014, but does not indicate whether this is comprehensive of all older contracts and licenses awarded prior to 2021. The report does not comment on whether the annexes of these reports have been published. The International Secretariat's review of contracts indicates that 14 mining contracts and two oil and gas contracts pre-dating January 2021 have been published, including the various amendments to eight of these contracts. However, there is an urgent need to conduct and publish a systematic review and categorisation of published contracts and amendments, in order to match amendments to specific contracts, potentially building on the International Secretariat's initial review. The review also indicates that several annexes of newer contracts have not yet been published. PWYP Mali has continued to advocate for contract transparency and been [covered](#) in the national press, arguing in February 2023 that, of the 760 active licenses at the end of 2019, only around 60 had been published.

#### *Accessibility of published licenses and contracts (#2.4.c.ii)*

The accessibility of mining contracts on both the Ministry of Mines and Energy [website](#) and the Mali EITI [website](#) is not optimal, given the publication of contracts in no particular order or categorisation. Many stakeholders consulted noted that it was challenging to locate contracts among those published, and the IA considered that it would have taken too much effort to do such a categorisation in order to prepare an EITI Report. Mali EITI does not appear to have published a list of all active mining contracts and licenses (including annexes, amendments and riders), indicating which document has been published (and where, precisely) and which has not. This inventory of published contracts cross-referenced to active contracts would vastly improve the accessibility of Mali's published mining contracts and encourage their use. A development partner noted that Mali EITI is currently compiling a list of active mining licenses and identifying the specific Ministerial Orders (*arrêtés*) awarding each, as well as the edition of the official gazette ('journal officiel') in which each is published.

### **Corrective actions and recommendations**

In accordance with Requirement 2.4, Mali is required to publish a comprehensive inventory list of all active licenses and contracts (including annexes, amendments and riders), indicating which document has been published (and where, precisely) and which has not. Mali is required to publish any extractive contract and license that was awarded or amended since 1 January 2021, including all annexes, amendments and riders.

To strengthen implementation, Mali is encouraged to ensure that all active mining licenses and contracts are published, including all annexes, amendments and riders.



## Background

### Overview of the extractive industries

An overview of the extractive industries is accessible on the [country page](#) of the EITI webpage for Mali.

### History of EITI implementation

The history of implementation is accessible on the [country page](#) of the EITI webpage for Mali.

### Explanation of the targeted assessment process

The [Validation Guide](#) provides detailed guidance on assessing EITI Requirements. The [procedure for targeted assessments](#) is detailed on the EITI website. The International Secretariat's country implementation support team include Solofo Rakotoseheno and Nassim Bennani, while the initial Targeted Assessment team was comprised of Alex Gordy. This assessment was updated by Nassim Bennani, Christina Berger, and Solofo Rakotoseheno with quality assurance by Gay Ordenes following a mission to Bamako from 12-14 June 2024 by Bady Baldé and Paye Alioune Badara. This report reflects findings of desk research and the in-person mission up to 14 June 2024.

### Confidentiality

The practice in attribution of stakeholder comments in EITI Targeted Assessments is by constituency, without naming the stakeholder or its organisation. Where requested, the confidentiality of stakeholders' identities is respected, and comments are not attributed by constituency. This report is shared with stakeholders for consultation purposes and remains confidential as a working document until the Board takes a decision on the matter.

### Timeline of assessment

The targeted assessment of Mali commenced on 1 October 2023. Stakeholder consultations were held virtually from 6-10 November 2023. The initial assessment was finalised on 15 January 2024 and presented to the 59<sup>th</sup> EITI Board in Toronto on 29 February 2024. The Board Chair tasked the Validation Committee, with support from the Secretariat, to consider recent developments in Mali and present an updated recommendation to the Board at the 60<sup>th</sup> Board meeting in June 2024. Ahead of the 60<sup>th</sup> EITI Board meeting in Geneva, the International Secretariat performed a three-day in-person mission to Bamako from 12-14 June 2024, preceded by virtual consultations with stakeholders from 8-22 May 2024. At the 60<sup>th</sup> Board meeting in Geneva on 19-20 June 2024 the Board tasked the Secretariat to update the assessment to reflect the findings from the in-person mission. The assessment was finalised on 08 July 2024.

## Resources

- Data collection templates on Requirements 1.1, 1.3, 2.2, 2.3 and 2.4 [\[French\]](#)
- Mali's 2021 EITI Report and annexes [\[French\]](#)
- Mali EITI 2023 work plan [\[French\]](#)
- Minutes of the Mali EITI MSG's meetings in 2022 [\[French\]](#) and 2023 [\[French\]](#)

## Annexe A: Political and security developments in Mali, October 2022–October 2023

The period since the conclusion of the previous Validation in October 2022 continued to be one of political transition under interim President Assimi Goïta, who had taken power in the May 2021 coup d'état. Under sanctions from the European Union and the Economic Community of West African States (ECOWAS) since late 2021, the military government's two-year political transition roadmap agreed in June 2022 led to the resumption of many cooperation agreements with donors that had been suspended. The government has broadly followed the key terms of the transition agreements, including by holding a referendum on a new constitution in June 2023 that would lead to national elections in March 2024.

Mali's security situation continued to worsen in the period under review. The nationwide state of emergency remains in place in response to the ongoing insurgency of several Islamist armed groups, which include fighting between the main terrorist groups (the *Macina Liberation Front (FLM)*, the al-Qaeda-linked *Jama'at Nasr al-Islam wal Muslimin* and *Islamic State in the Greater Sahara (ISGS)*). Terrorist attacks have taken place in an increasingly broad area of the country, and the fighting has moved beyond the traditional focus on the country's north and centre to regions along the borders with Burkina Faso, Côte d'Ivoire and Mauritania.

### Shifting alliances

Having concluded France's main military operation Barkhane in August 2022, Mali continued to distance itself from traditional partners and further developed its military cooperation with Russia since October 2022 according to analysis including the International Crisis Group (ICG) February 2023 [report](#) on Mali.

Relations with the UN mission in Mali (MINUSMA) continued to deteriorate in 2022, with the Malian Government expelling MINUSMA's spokesperson in July 2022 and the director of its human rights division in February 2023. In May, the government announced the opening of an inquiry into the UN staff that drafted a recent OHCHR [fact-finding report](#) that argued that security forces and "foreign personnel" were likely responsible for killing more than 500 people during a counter-terrorism operation in Moura in April 2022, according to an August 2023 UN Security Council [update](#) on Mali. In June 2023, the government issued a demand for the immediate withdrawal of the MINUSMA's 15,000 military personnel from Mali, which prompted the UN Security Council to adopt [resolution 2690](#) on 30 June 2022, ending MINUSMA's mandate and drawing down by end of December 2023.

The degree of military cooperation between Mali and Russia remains a contested point between the Malian Government and international observers, although the Wagner group's involvement in Mali has been acknowledged by the Russian Government in 2023. The Malian government disputes that the Russian military personnel is anything but 'instructors' to advise on the use of Russian military hardware. The International Crisis Group explains in its February 2023 [report](#) on Mali that the Malian Government sees Russia as a "*reliable, pragmatic partner that is better suited than the West to help them fight jihadist groups, in particular by providing rapid access to*

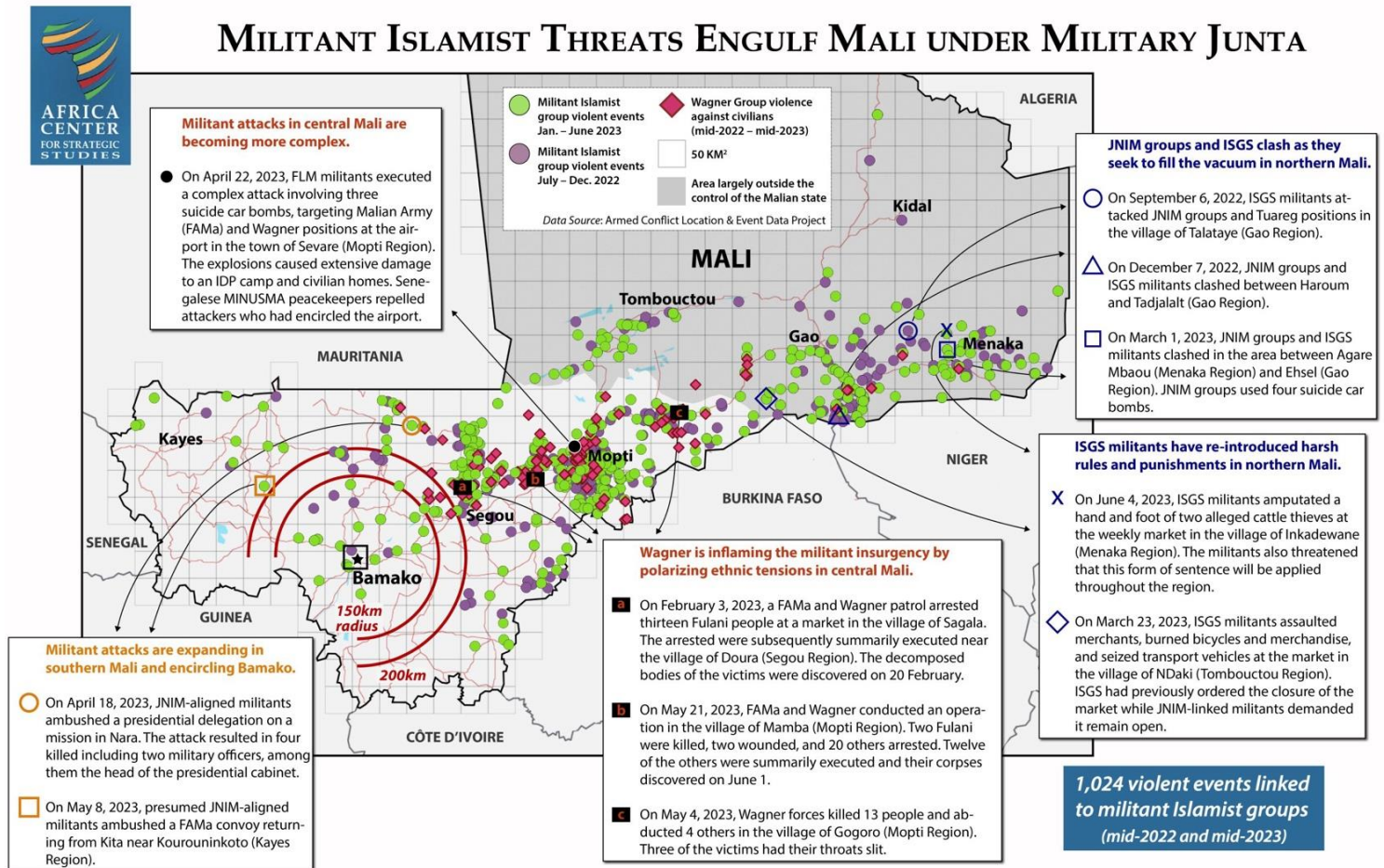
*military equipment and combat forces on the ground.”* In 2022, the US AFRICOM indicated that the Malian Government had contracted the Wagner group at a rate of USD 10.9m per month, with press reports of around 1,000-1,500 Wagner personnel in Mali as of early 2023 according to an August 2023 US Congressional Research Center [report](#) on the group. This annual USD 130.8m amounts to twice the Ministry of Justice’s annual budget according to a 2023 [report](#) from the Armed Conflict Location & Event Data Project (ACLED).

### Security challenges

Mali’s armed forces has continued to mount large-scale operations in recent months, in particularly in the country’s centre, although these have been a mixed success. While the government has been highlighting these successes, the persistence of jihadist attacks in central and north-eastern Mali reflect the fragile nature of the security situation according to the ICG’s February 2023 [report](#). According to the last human rights [quarterly note](#) published by the UN mission to Mali (MINUSMA) covering the last quarter of 2022, the number of civilians killed in Mali more than doubled from 584 in 2021 to 1,277 in 2022, of which 56% were perpetrated by terrorist groups and 35% by Malian security forces, sometimes accompanied by “foreign personnel”.

While militant Islamic group activity continued to be focused on the country’s centre (Mopti and Segou regions), the FLM – categorised as the most active militant group in Mali by the Africa Center for Strategic Studies (ACSS) in a July 2023 [report](#) - in particular has rapidly expanded south. There has been a 50% rise in militant Islamist group activity in the year to June 2023 according to ACSS, including in historically safer areas of Kayes and around Bamako. The ACSS’s July 2023 [report](#) argues that Islamist groups have successfully used human rights abuses perpetrated by state security forces and their foreign partners as recruitment grounds.

**Map 1: Militant Islamist threats in Mali (July 2023)**



Source: Africa Center for Strategic Studies July 2023 [report](#) on Mali.

## Sanctions

Mali has continued to be sanctioned by most regional international organisations in which it participates. The European Union and the Economic Community of West African States (ECOWAS) imposed sanctions in late 2021, but eased them.

The European Union and the Economic Community of West African States (ECOWAS) imposed sanctions in late 2021. However, following publication of the government's transition roadmap, ECOWAS sanctions were partly lifted in July 2022. However, later in July 2022, Malian authorities detained 49 soldiers from Côte d'Ivoire that it held until late December 2022, and sanctions and other restrictions imposed by the African Union and ECOWAS have continued, as confirmed in the regular UN [Report](#) of the Secretary-General on Mali. In November 2022, France suspended all official development aid while maintaining its humanitarian aid, which prompted the Malian government to ban all NGOs with any French support, including humanitarian NGOs according to the ICG's February 2023 [report](#).



Meanwhile Western governments led by the United States have sanctioned Russian individuals and entities linked to the Wagner group in Mali, at an accelerating pace in 2023. In January 2023 the US Treasury's Office of Foreign Assets Control (OFAC) [redesignated](#) the Wagner group as a sanctioned entity, which was followed by the UK, France, Japan, etc. In [July 2023, OFAC](#) sanctioned three top Malian defence officials including Minister of Defence Colonel Sadio Camara, Chief of Staff of the Air Force Colonel Alou Boi Diarra, and Air Force Deputy Chief of Staff Lieutenant Colonel Adama Bagayoko, who OFAC considers is seeking to facilitate the Wagner group's access to gold mining in Mali. In June 2023, OFAC [sanctioned](#) Russian national Andrey Nikolayevich Ivanov for reportedly working for the Wagner group affiliated company Africa Politology, advising on weapons sales, mining concerns and the group's other in Mali. Independent analyses by private consultancies cite the names of two mining companies allegedly active in Mali that are considered linked to the Wagner Group (such as an August 2023 [briefing](#) by the consultancy Kharon).

The OFAC [press release](#) in June 2023 announcing these sanctions described Africa Politology's business as *"develop[ing] strategies and mechanisms to induce countries that promote human rights and good governance to withdraw their presence in Africa and is involved in a series of Russian influence tasks in the CAR and Mali, to include discrediting the UN and carrying out lawsuits against press outlets that report on the consequences of Wagner's activities"*. The OFAC's June 2023 [press release](#) also accused the Wagner group of participating in a scheme to procure weapons for its operations in Ukraine using false end-use certificates in Mali.

### Political developments

The government has taken steps since October 2022 to implement its transition plan. In February 2023, a 72-member constitutional drafting Commission presented a draft Constitution to the government, with involvement from current and former government officials, representatives from political parties, trade unions and civil society according to a March 2023 UN [Report](#) of the Secretary-General on Mali. A national referendum on the new Constitution was held on 18 June 2023, with 97% of votes in favour of the Constitution, albeit with a low turnout of 39.4% of the eligible vote according to an August 2023 UN Security Council [update](#) on Mali. The referendum could not be held at all in some parts of the country such as Kidal due to opposition from armed groups, and foreign commentators such as the ACSS's July 2023 [report](#) considered that the referendum did not meet basic standards of fairness or credibility. The new Constitution strengthens the Presidency's powers and grants amnesty to perpetrators of previous coup d'états.

The withdrawal of MINUSMA forces has led to renewed calls for independence from Tuareg groups in northern Mali, which considered the withdrawal to constitute a "fatal blow" to the Algiers peace accords between the Malian Government and separatist armed groups in the north, as reported by foreign press such as [RFI](#). The government and armed groups have accused each other of undermining the peace agreement in 2023, as reported in the [international press](#) and by [think tanks](#). Northern armed groups including the Coordination of Azawad Movements, the coalition of rebel armed groups, suspended their engagement in the mechanisms of the Algiers peace accord in December 2022, following disputes over the government's engagement in the Agreement Monitoring Committee according to an August 2023



UN Security Council [update](#) on Mali. Meanwhile the UN Panel of Experts on Mali has not been able to visit the country since panel members' visas were revoked by the government in June 2022 according to the August 2023 UN Security Council [update](#).

In March 2024, the junta dissolved a Students' Association on the ground of *"disrupting classes, assassinations, murders and the destruction of public and private property"*. In April 2024, Mali's Head of State [signed a decree](#) *"suspending until further notice (...) the activities of political parties and the political activities of associations"* on the Malian territory. A communiqué from the government also requested the Malian media (radio, television, print and online newspapers) *"to stop broadcasting and publishing news about political parties and the political activities of associations"*. The journalists' association Maison de la Presse called on the entire Malian press not to submit to those injunctions. Notable international reactions include the United Nations' Office of the High Commissioner for Human Rights who had already expressed [concerns over closures of civil society organizations](#), and then [asked](#) that the decree on the suspension of political activities is repealed. In April and May 2024, the Malian junta initiated the Inter-Malian Dialogue for peace and reconciliation, a series of meetings at the local, regional and then national levels. Journalists and civil society organisations have been able to take part in these events. The deadline of 26 March 2024 for the end of the transition period elapsed. The Prime Minister explained that stability and the recovery of the Malian sovereignty was a prior condition before elections. Political parties challenged this position by taking the case to the Supreme Court, which declared itself 'incompetent' in April 2024.

## Conflict minerals

Third-party estimates of production and smuggling of artisanal and small-scale gold mining have continued to grow since the previous Validation. Large-scale gold production from the country's 15 large-scale mines continue to range around 60 tons a year, while estimates of artisanal-mined gold production vary from 4-6 tons a year according to the Ministry of Mines to 30-50 tons according to the [OECD](#) in 2018, 35-40 tons according to the [UN Panel of Experts on Mali](#) in 2023, and 60 tons according to more recent reporting by [France24](#) in 2022. While most of Mali's industrial mined gold exports are destined for Switzerland, the majority of artisanal and small-scale mined gold is smuggled to the United Arab Emirates according to third-party estimates based on UN trade data. While Mali and Switzerland's gold trade data broadly matches, the disparities between Mali's gold export data and the UAE's gold import data has grown sharply in recent years.

**Table 2: Estimates of Mali's gold trade with the United Arab Emirates, 2019-2021**

	Gold declared as exported to UAE by Mali Government	Gold declared as imported from Mali by UAE Government	Source
<b>2019</b>	USD 11.8m (0.3 tons)	USD 3219m (81 tons)	UN COMTRADE <a href="#">data</a>
<b>2020</b>	USD 15.1m (USD 0.28 tons)	USD 2949m (54.5 tons)	UN COMTRADE <a href="#">data</a>
<b>2021</b>	USD 959.8m (22.8 tons)	USD 7324m (174.3 tons)	UN COMTRADE <a href="#">data</a>

Most commentators agree that a large share of informal gold exports from Mali are smuggled from neighbouring countries such as Senegal, Burkina Faso, Guinea and Sierra Leone. Mali's Customs authorities consider that a large share of the estimated 20 tons of artisanal mined gold smuggled through Bamako International Airport every year was produced in other countries, according to a 2022 [report](#) on artisanal mining and illicit financial flows by the IGF. Indeed a March 2022 [report](#) by the NGO ENACT estimates that around 80% of artisanal gold in Mali's supply chain is produced in Senegal. In the past year, Mali's Ministry of Mines has announced more frequent actions against artisanal miners, including the arrests of hundreds of foreign gold prospectors on at least two illegal mining sites reported in the [national press](#) in November 2022.

There continues to be a link between artisanal and small-scale mining sites and the financing of the country's insurgencies. The UN Panel of Experts on Mali reports in [2022](#) and [2023](#) and the US Treasury's [OFAC](#) have reported that militant groups such as the *Coordination of Azawad Movements* and the *Jama'a Nusrat ul-Islam wa al-Muslimin* control access and provide security to mine sites in Kidal, in exchange for payments from the miners. Given that most gold deposits are located in the country's south however, a smaller share of gold output is controlled by terrorist organisation than in some neighbouring countries, according to a May 2023 [article](#) in New Security Beat.

## Annexe B: Mali EITI MSG meeting attendance, October 2022 – October 2023

Table 3: Mali EITI MSG meeting attendance, October 2022 – October 2023

Mali - présences aux réunions du Comité de Pilotage de l'ITIE Mali, octobre 2022 - octobre 2023				Réunion du Comité de Pilotage de l'ITIE Mali					
Membre du Comité de Pilotage ITIE Mali	Organisme	Collège	Membre/Sup pléant du Comité de Pilotage	13 octobre 2022					
				13 octobre 2022	21 décembre 2022	9 février 2023	18 mai 2023	6 juillet 2023	14 septembre 2023
Lamine Seydou Traoré / Amadou Keita	Ministre des Mines	Administrations publiques	Membre	1	1	0	1	2	1
KONATÉ Ousmane Mamadou	Primature	Administrations publiques	Membre	2	2	2	2	2	2
COULIBALY Issa	Ministère des Mines	Administrations publiques	Membre	2	2	2	2	2	2
GUINDO Boureïma	Ministère de l'Economie et des Finances	Administrations publiques	Membre	2	2	0	2	2	2
DIAKITE Ichiaka	Directions Générale des Impôts	Administrations publiques	Membre	0	0	2	2	2	2
SANOGO Aboubacar Sidiki	Direction Nationale des Domaines	Administrations publiques	Membre	2	2	2	2	2	2
DIALLO Oumar dit Moriba	Direction Nationale du Trésor et de la Comptabilité Publique	Administrations publiques	Membre	1	0	1	0	1	2
CISSE Seydou	Institut National de la Statistique	Administrations publiques	Membre	2	2	1	2	2	2
TRAORE Mady	Direction Nationale de l'Assainissement du Contrôle des Pollutions et des Nuisances	Administrations publiques	Membre	2	2	2	2	2	1
DIARRA Oumar Gaoussou	Direction Nationale de la Géologie et des Mines	Administrations publiques	Membre	2	2	2	1	2	2
FOFANA Birama	Office National de Recherche Pétrolière	Administrations publiques	Membre	2	2	2	2	2	2
CAMARA Oumar	Direction Nationale des Douanes	Administrations publiques	Membre	1	2	2	0	2	2
SIDIBE Mamadou	Cellule de Planification et de Statistique Secteur Mine et Energie	Administrations publiques	Membre	2	2	1	1	2	2
DIARRA Mamadou Lamine	Conseil National de Transition (CNT)	Administrations publiques	Membre	0	0	2	0	0	0
SOW Abdoulaye	Sections des Comptes de la Cour Suprême	Administrations publiques	Membre	2	0	2	2	2	2
SOUKARE Yaya	Institut National de Prévoyance Sociale (INPS)	Administrations publiques	Membre	2	2	2	2	2	2
Abdoul Wahab DAIKITE	ASCOMA	Société civile	Membre	2	2	2	0	0	0
Tiémoko Souleymane SANGARE	FDS	Société civile	Membre	2	0	2	2	2	0
Issiaka Gouro SANOGO	CAD-Mali	Société civile	Membre	2	2	2	2	2	2
Mme LY Fatimata COULIBALY	CAFO	Société civile	Membre	2	2	2	2	2	2
Ibrahima Siré COULIBALY	Réseau Malien des journalistes pour la lutte contre la corruption	Société civile	Membre	2	2	2	2	2	2
Nouhoum DIAKITE	Coalition Malienne Publiez Ce Que Vous Payez	Société civile	Membre	2	2	2	2	2	2
Mme TOURE Djenebou SIDIBE	Réseau pour le Développement des Femmes Locales	Société civile	Suppléant	0	0	0	0	0	0
Siaka DIARRA	Forum des Organisations de la société civile	Société civile	Suppléant	0	0	0	0	0	0
Samou COULIBALY	Clinique Juridique DEME SO	Société civile	Suppléant	0	0	0	0	0	0
Nouhoum KEITA	Association des 21 Villages de Falea « ASFA 21 »	Société civile	Suppléant	0	0	0	0	0	0
Makan FOFANA	ASCOMA	Société civile	Suppléant	0	0	2	2	2	2
Boubacar Sidiki SANGARE	FDS	Société civile	Suppléant	0	0	0	0	0	2
Habiboulaye DIALLO	Rangold/Barrick	Industries extractives	Membre	2	2	2	2	0	2
Adama BAGAYOKO	SOMISY	Industries extractives	Membre	1	0	1	1	1	0
Abdoul Karim MAIGA	SOMIKA	Industries extractives	Membre	0	0	0	0	0	0
Mamadou TOURE	AngloGold Ashanti	Industries extractives	Membre	0	0	0	0	0	0
Ousmane SIMPARA	PETROMA/HYDROMA	Industries extractives	Membre	2	2	2	2	2	2
Barthélemy KRAMO	IAMGOLD / SEMOS	Industries extractives	Membre	0	0	0	0	2	2
Bakary GUINDO	Chambre des Mines	Industries extractives	Membre	2	2	0	2	0	0
Ibrahima SOW	SOCARCO	Industries extractives	Suppléant	0	0	0	0	0	0
Aliou KASSOGUE	WASSOULOR	Industries extractives	Suppléant	0	0	0	0	0	0
Ibrahima TOURE	B2GOLD	Industries extractives	Suppléant	0	2	0	1	0	0
Idrissa BABY	KOMANA	Industries extractives	Suppléant	0	0	0	0	0	0
Diala KONATE	Mali Mineral Resources	Industries extractives	Suppléant	2	0	2	2	1	2
Kadidia OUATTARA	Legend Gold	Industries extractives	Suppléant	0	0	0	0	0	0
Ismaila DAFIE	Chambre des Mines	Industries extractives	Suppléant	0	0	0	0	0	0

Légende:	Présent	2
	Représenté	1
	Absent	0

Source: MSG meeting attendance lists, accessible on the Mali EITI website for [2022](#) and [2023](#).

## Annexe C: Analysis of status of contract disclosure in Mali (November 2023)

**Table 4: Status of contract disclosure in Mali (November 2023)**

	Pre-2021	2021	2022	2023
Number of active contracts awarded in this period, published on the EITI Mali website	16	92	88	0
Number of active contracts amended in this period, published on the EITI Mali website	8	1	1	0
Number of contracts and licenses in the Mali cadastral portal (MCAS) with dates of award in this period	2229	370	252	0

Sources: Mali online extractive license cadastre ([MCAS](#)) and two lists ([here](#) and [here](#)) of published mining contracts on the Mali EITI website. Detailed International Secretariat analysis of published mining contracts available ([here](#)).

**Table 5: Status of contract disclosure related to companies with state participation**

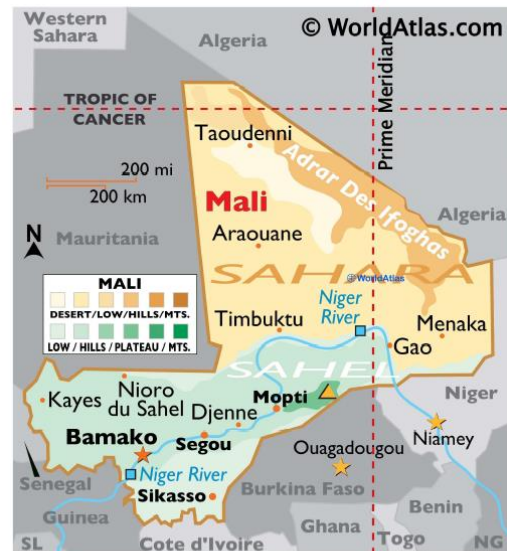
Status of publication of mining licenses and contracts involving companies with state participation														
Name of company	Acronym	Status	Date of creation	State participation	License	License type	Mineral	License published?	Contract published?	Contract date	Contract link	Amendment 1	Amendment 2 date	Amendment 1 published? Link
Diamond Cement Mali	DCM-SA	SA	2007	10.00%	AE 496/12	Autorisation d'exploitation de c	Limestone	No	N/A	N/A	N/A	N/A		
Diamond Cement Mali	DCM-SA	SA	2007	10.00%	AE 505/12	Autorisation d'Exploitation des	Limestone	No	N/A	N/A	N/A	N/A		
Société des Mines d'Or de Gounkoto	GOUNKO-SA	SA	2010	20.00%	PE 412/12	<2012 Permis d'Exploitation	Gold	No	Yes	21-Mar-12	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant N°1 GOUNKOT	Jul-19	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>
Société des Mines d'Or de Kalana	SOMIKA-SA	SA	2003	20.00%	PR 168/11	<2012 Permis d'Exploitation	Gold	No	Yes	23-Dec-02	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant 1 annexé au contrat		<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>
Société des Mines d'Or de Kalana	SOMIKA-SA	SA	2003	20.00%	PE 526/84	<2012 Permis d'Exploitation	Gold	No	Yes	30-Dec-03	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	Avenant Société AVNEL	17-Feb-15	<a href="#">Avenant Société AVNEL</a>
Société des Mines d'Or de Loulo	SOMILO-SA	SA	1987	20.00%	PE 528/99	<2012 Permis d'Exploitation	Gold	No	Yes	2-Apr-93	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant Loulo	12-May-20	<a href="#">Avenant Loulo</a>
Société des Mines d'Or de Morila	MORILA-SA	SA	2000	20.00%	PE 524/99	<2012 Permis d'Exploitation	Gold	No	Yes (but no annexes)	28-Apr-92	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Premier avenant Rangc	7-Apr-20	<a href="#">Avenant Rangold</a>
Société des Mines d'Or de Sadiola	SÉMOS-SA	SA	1994	20.00%	PE 482/94	<2012 Permis d'Exploitation	Gold	No	Yes	24-Mar-92	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	Avenant A.G.E.M	5-Apr-90	<a href="#">Avenant A.G.E.M</a>
Société des Mines d'Or de Ségala	SEMICO-SA	SA	2006	20.00%	PE 525/97	<2012 Permis d'Exploitation	Gold	No	Yes	1-Oct-99	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société des Mines d'Or de Syama	SOMISY-SA	SA	1987	20.00%	PE 527/89	<2012 Permis d'Exploitation	Gold	No	Yes	27-Jan-87	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	Avenant N°1 BHP Miné	4-Mar-91	<a href="#">Avenant N°1 BHP Miné</a>
Société des Mines d'Or de Yatela	YATELA-SA	SA	2000	20.00%	PE 483/00	<2012 Permis d'Exploitation	Gold	No	Yes	20-May-94	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société Faboula Gold	FABOUL-SA	SA	2002	20.00%	PE 508/97	<2012 Permis d'Exploitation	Gold	No	Yes	4-Mar-92	<a href="https://itie.ml/wp-content/">https://itie.ml/wp-content/</a>	TBC		
Société des Mines de Kofi	MIKO-SA	SA	2018	20.00%	PE 304/14	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
Société des Mines de Fekola	FEKOLA-SA	SA	2018	20.00%	PE 308/14	Permis d'Exploitation, Groupes 1	Gold	No	Yes	2-Mar-17	<a href="http://itie.ml/wp-content/">http://itie.ml/wp-content/</a>	TBC		
Société des Mines de Komana	SMK-SA	SA	2018	20.00%	PE 305/14	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	PR 414/09	<2012 Permis d'Exploitation	Gold	No	No	TBC	N/A	TBC		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	AEX 2303/20	Autorisation d'Exploration	Gold	No	N/A	N/A	N/A	N/A		
et d'Exploitation Minière du Mali	SOREM-SA	SE	2022	100.00%	PR 2195/16	Permis de Recherche, Groupes 1	Gold	No	N/A	N/A	N/A	N/A		

Sources: 'Situation des participations de l'Etat dans les sociétés à la date du 30 juin 2023', Contracts published on Mali EITI website, the Mali mining cadastre, and Annexe 7 of Mali's 2021 EITI Report.

## Annexe D: Presentation to the EITI Board – findings from the in-person mission to Bamako, Mali, 12-14 June 2024

### Mali: country context

- Coup d'états in August 2020 & May 2021 in the context of increasing security threats.
- On 30 June 2023, UN resolution S/RES/2690 terminated the mandate of MINUSMA and the withdrawal was completed on 31 December 2023.
- Significant level of terrorist activities.



### The war against terrorist groups remains volatile.

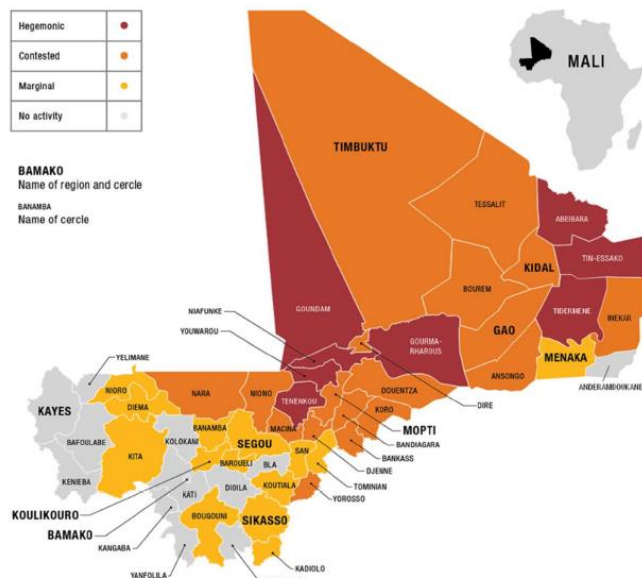
This classification was established by Crisis Group based on information from a variety of sources, including field-based research, data from the Armed Conflict Location & Event Data Project (ACLED) and data on school closing from the Cluster Education Mali.

#### DEFINITIONS

- 1. Hegemonic presence.** Cercles in which JNIM exercises an extensive influence, controlling if not the entire district, at least most of the areas outside major towns. The group often sets up a governance structure allowing them to provide basic services such as education and medical assistance, as well as to ensure law enforcement and justice – especially when it comes to land disputes – according to their conception of Sharia.
- 2. Contested presence.** Cercles in which JNIM controls only pockets of territories, from where it may exert influence on certain villages, even though its presence is significantly challenged by government security forces and/or other local non-state armed groups, eventually reducing its ability to exert full control over the area.
- 3. Marginal activity.** Cercles in which JNIM has conducted multiple incursions and attacks against both civilians and security forces without being able to establish an enduring physical presence.
- 4. No activity.** Cercles in which JNIM is not openly active, but where the existence of inactive jihadist cells remains possible.

Hegemonic	●
Contested	●
Marginal	●
No activity	●

**BAMAKO**  
Name of region and cercle  
**BANAMBA**  
Name of cercle





## “Gold is not shining for all Malians”

- Mining accounts for about 7.5% of GDP, 28% of government revenues (USD 1.016 billion, in 2023) and 65% of exports.

Evolution of extractive sector's contribution from 2021 to 2023 (in million USD) <small>Source: EITI reports</small>	2021	2022	2023 (budget)
Total government revenues	3,757	2,768	3,691
Total gov revenues from extractive sector	837	964	1,016
Percentage	22%	35%	28%



## Last Validation in October 2022 resulted in ‘fairly low’ (65 points).

Targeted assessment discussed at the Board meeting in Toronto

Component & EITI Requirement		Progress	Score	
Stakeholder engagement	Government engagement (#1.1)	Mostly met	60	=
	Civil society engagement (#1.3)	Partly met	30	↓
	Contract and license allocations (#2.2)	Partly met	30	=
Transparency	License register (#2.3)	Mostly met	60	↓
	Contracts (#2.4)	Partly met	30	=

Updated Secretariat assessment following the mission

Component & EITI Requirement		Progress	Score	
Stakeholder engagement	Government engagement (#1.1)	Fully met	90	↑
	Civil society engagement (#1.3)	Mostly met	60	=
	Contract and license allocations (#2.2)	Partly met	30	=
Transparency	License register (#2.3)	Mostly met	60	↓
	Contracts (#2.4)	Partly met	30	=





## Findings from the mission Requirement 1.1



- In February, we reported a weakening of government engagement since last Validation, but still concluded 'mostly met' as in previous Validation.
- During the mission we found improvements in government engagements and recommends "fully met":
- The Prime Minister chairing a supervisory committee and reaffirming government commitment in April 2024
- EITI disclosure requirements reflected in the updated mining code, as part of a "refoundation of institutions" under the transition government.
- Continued EITI implementation, including the preparation of 2022 and 2023 Report set to be published before the end of June.
- Appointment of senior official as interim National Coordinator, following a merit-based approach.



## Findings from the mission Requirement 1.3



- In February, we reported further deterioration in environment for civil society engagement and concluded "partly met". We based this assessment on allegations of reprisals against critical CSOs, self-censorship related to armed groups, increased reporting requirements, increased restrictions on foreign funding.
- Following the mission, we did not find evidence of armed groups owning or operating mining assets or self-censorship on this topic.
- We did not find evidence of restriction of foreign funding, in fact, ambassadors of countries supporting the EITI confirmed that they continue to support civil society in Mali.
- However, we found increased scrutiny and monitoring of civil society activities, in the context of military transition.
- We found strong division between EITI inside the MSG and those outside of the MSG, who feel excluded from the process, as the MSG membership for the civil society constituency has not changed since 2007.
- On this basis, we update our assessment of 1.3 to "mostly met".



## Recommendations shared during the mission



- The mission conveyed the following recommendations to the authorities:
  - *We emphasised EITI principles 2 and 6 throughout the mission and reiterated the importance of adhering to the civil society protocol even in the context of war.*
  - *We recommended that the civil society constituency swiftly renew its representation on the MSG in line with its code of conduct, following broad consultations, including women in mining, unions, media, associations of accountants and lawyers.*
  - *We recommended to the authorities to take swift actions to gather evidence on the rapid development of the formal and semi-formal sector.*
  - *We recommended to the MSG to undertake a wide consultation to develop a multi-year work plan in line with EITI Strategic priorities consider:*
    - On Anti-Corruption, the MSG has a role to play in the reopening of the mining cadastre, to avoid the long backlog of applicants.
    - On ASM, the EITI has a significant role to play following the closure of the World Bank project.
    - On DRM, we encouraged the MSG to go beyond slogans, conduct comparative analysis and other research to inform evidence-based policy.

