



AFRICAN MEDIA BAROMETER

A home-grown analysis of the
media landscape in Africa

MALI 2021

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The African Media Barometer (AMB) is a perception index. The findings, interpretations and conclusions reported are those of panellists drawn from civil society and media organisations for the purposes of conducting the AMB, and do not necessarily reflect the views and opinions of *fesmedia* Africa, the Friedrich-Ebert-Stiftung (FES) or the Media Institute of Southern Africa (MISA).



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The African Media Barometer

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations such as the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by *fesmedia* Africa, the media project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The AMB is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB reports are then integrated into the work of the 20 country offices of the FES in sub-Saharan Africa and into the advocacy efforts of other local media organisations such as MISA.

Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

In 2009, 2013 and 2019 some indicators were replaced to align with changes in the media landscape. Consequently, in some instances, the comparison of indicators of previous reports is not applicable (n/a), as the indicator is new or has been amended considerably.

The sum of all individual indicator scores is divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores.

Outcome

The final, qualitative report summarises the general content of the discussion and provides the average score for each indicator. Panellists are not quoted by name in the report, in order to protect them from possible repercussions. The reports can be used as a tool for possible political discussion on media reform.

In countries where English is not the official language, the report is published in a bilingual edition.

In facilitating the AMB, the FES and MISA only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

By the end of 2019 the AMB had been successfully completed 121 times in 32 African countries, in some of them for the sixth time already.

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See above 32 AMB Countries (2005-2021)

African Media Barometer

Mali 2021

Summary

Freedom of expression, including freedom of the media, is guaranteed by the constitution and protected by other laws.

According to the constitution of 25 February 1992: Article 4, *“Every person enjoys the freedoms of thought, conscience, religion, worship, opinion, expression and creation within the prescribed frame of the law.”* Article 7, *“The freedom of the press is recognised and guaranteed. It is exercised within the conditions prescribed by the law. An independent body ensures equal access to all the state medias. The legal status of this independent body is set in an organic law.”*

The Act of 7 July 2000 on the management of the press and press offences, and the Act of 5 December 2019 on the repression of cybercrime, both enshrine freedom of expression by drawing their essence from the constitution.

However, the exercise of freedom of expression remains relatively practised and differs from one region to the next. It is easier to exercise freedom of expression in big cities than in small towns or rural areas. Since 2012, Mali has been plagued by terrorist groups’ attacks from the north. The deterioration of the security situation, which impacts all aspects of national life, causes a climate of self-censorship, especially among media professionals, most notably in the countryside. From Ségou (centre of Mali) to the far north, community radio stations are cautious with the terms they use. Journalists systematically refuse specific programmes for fear of being physically hurt or seeing their facilities attacked. Some journalists have been kidnapped, although most are released after secret negotiations involving state security.

Threats and pressures on journalists and the media do not come only from state officials. People named in investigative articles sometimes use deceptive methods to intimidate journalists. People singled out by publications also put pressure on the family of journalists to get the investigation dropped or for journalists to self-censor.

Furthermore, some laws restrict freedom of expression, such as Act of 5 December 2019 on the repression of cybercrime in its articles 74, 75 and 76. This law authorises the prosecutor or investigating judge to search for and seize online media data during an investigation.

Mali ratifies all regional and international instruments, almost without exception, and gets national legislation to align with these international texts. Nevertheless, the implementation of these instruments can be improved.

When it comes to the registration of print publications, a declaration is required, as prescribed by article 7 of the Act of 7 July 2000, on the management of the

press and press offences. *“Before the publication of any newspaper or printed periodical, a declaration of publication shall be lodged at the Magistrate Court. The declaration shall provide the title of the newspaper or printed periodical, and its periodicity; the name and address of the publisher; an indication of the printing house where it shall to be printed and the expected print run.”* Although the Act does not expressly protect a journalist’s sources, in practice, journalists do protect their sources, even before a judge.

There is no specific law on access to information. Yet, access to information is guaranteed by Act N° 98 - 012 of 19 January 1998, governing relations between the administration and public services users. Information in public Administration is not always easily accessible due to the lack of structures to facilitate this. However, there are cases of proactive dissemination, such as that of the Ministry of the Economy and Finance, which systematically disseminates all information concerning the budget on its website.

Websites, blogs and other digital platforms are not required to register or obtain authorisation to operate. However, article 27 of the Cybercrime Law requires websites, blogs, and other digital platforms to identify themselves. The Malian state censors information. Cybercrime and telecommunication laws allow authorities to issue instructions that limit internet access.

Civil society activists generally support the cause of the media, but media professionals find this support rather timid. Media legislation is generally not the result of consultations between the state, citizens and stakeholders.

Officially, the media landscape consists of 107 commercial radios, 222 non-commercial radios, 25 commercial televisions and 5 non-commercial televisions. However, media professionals counted 46 private TV stations, more than 400 radio stations, about 235 newspapers (about 15 are dailies) and around 100 online media houses. The state rarely restricts national and international media; however, it downgrades or blocks social networks during demonstrations or elections.

The state-owned Malian Press and Advertising Agency (AMAP) produces 5 newspapers: the national daily newspaper, l’Essor, in French, and 4 other publications in the local languages (Bambara, Soninke, Fulani and Songhai). The editorial freedom of AMAP is not guaranteed: government officials appoint its directors and control its finances. This gives the government a direct influence over the editorial content.

The Act on the management of the press and press offences and the Act on cybercrime impose transparency from media owners and the management of media organisations, *“Anyone convicted of having, in any way, lent his/her name to the owner or majority shareholder of a media house to enable him/her to escape the rule,”* prescribed in article 11, *“is punished by a fine of 150,000 to 15,000.000 francs,”* article 12. Article 11 itself says that *“all owners and majority*

shareholders of a media house must be of Malian nationality.” However, in practice, there are suspicions that some owners operate behind fake frontmen.

A general administrative law regulates competition in Mali. Nevertheless, the Act N° 2012-019 of 12 March 2012 relating to private audiovisual communication services addresses specific competition issues in the media sector. The government does not promote a diverse media landscape with sustainable and independent media houses. The exclusive right to state adverts held by AMAP only benefits a few media houses supportive of the official communication. Support for the press is insufficient, and the online press does not receive any support. Government advertisement contracts serve as leverage to influence editorial content.

Politics dominates the Malian media, and the coverage of the other issues generally does not go beyond press releases. The limited resources of the media do not allow them to do investigative journalism. Nevertheless, there are media houses specialising in economics, culture, sports, education and other subjects.

Private broadcasters, generally speaking, offer at least a minimum of quality and public interest relevant programmes. Mali has developed a policy in Information and Communication Technologies (ICT) since 2000. The most recent  the 2015 national policy document for ICT development.

The High Authority for Communication (HAC) was created by Presidential Order on 21 January 2014 and ratified by the Act of 4 June 2015.  HAC, due to its legal status, is not under the authority of the Minister of Communication and Digital Economy. Theoretically, this legal form protects HAC from external interference. However, it sometimes appears in practice that the Chair and the rest of HAC management feel obliged to the President of the Republic. The HAC has been deemed to grant frequencies or licenses unfairly.

The Board of Directors of the Radio and Television Office of Mali (ORTM) is subordinated to the Ministry of Communication, whose minister chairs the board. The general opinion is that ORTM is the government's mouthpiece and has no editorial freedom. However, ORTM does offer a wide range of programmes that consider the diversity in the country and the minorities.

The common perception is that the treatment of information by the media in Mali is neither fair nor accurate. An ethical and a deontological code, as well as an ethical charter, do exist. Yet, the regulatory bodies entrusted with implementing these ethical tools fail to do so. The wages rates are primarily inappropriate. The safety of journalists and media workers is not guaranteed. Journalists and other media professionals are organised into trade unions and professional associations to defend their interests. Despite that, these interest groups do not campaign to improve the material situation of journalists, especially for improved wages. In such a context, moral integrity remains a significant challenge for journalists and media companies easily corruptible.

On the job market, for equal qualification, there are no discriminations. Equal opportunity, irrespective of race, ethnic origin, social group, gender, religion,

disability and age, is primarily respected in the media industry. There are private and state training programmes that offer formal qualifications.

The Barometer panel took place in Ségou (Mali) from 14 – 16 May 2021.



SECTOR 1:

Freedom of expression, including freedom of the media, is guaranteed in the constitution and protected by other laws.

1.2 Freedom of expression is effective and citizens, including journalists, enjoy this right without fear.

The opinions are quite divided. Some panellists insist that Malians enjoy complete freedom of expression to the extent of running the risk of overstepping onto each other's freedom. In contrast, other panellists find that the reality of this freedom of expression remains superficial. The situation differs according to the regions of the country. It is easier to exercise freedom of expression in big cities than small towns and rural areas.

The deterioration of the security situation and, generally speaking, the crisis at all levels in the country is causing a climate of self-censorship. This is especially true among news professionals working in the rural countryside. A female panellist experienced this with local radio stations, especially in areas from Segou (centre) to the north of the country. In that part of the country, media professionals are very mindful of their language. They even refuse to air specific programmes out of fear of being attacked personally or having their offices attacked.

Another panellist (in Bamako) reported that she wrote an article about a religious leader that was censored out of fear that the programme itself would be cancelled. There have also been several cases of journalists who have been arrested whilst doing their job. Although they are released afterwards, this creates a climate that encourages self-censorship within the newsroom, where specific topics become taboo.

Several panellists spoke about the abduction of journalists by people dressed in plain clothing and driving unmarked vehicles (without a registration plate number). After hard negotiations to locate the abducted victims, they are eventually found in secret cells of the state security. The panellists feel that if colleagues are ethically at fault or commit offences, they should answer for it; however, this should be done within the scope of standard procedures through formal summons before a prosecutor as prescribed by the law. A journalist arrested through these extra-judicial methods has been missing for over five years.

Another incident, reported by a panellist, showcases the pressures that media professionals face. *Renouveau FM Radio* was shut down with immediate effect on 2 August 2018 by the Decree of the Governor of the Region of Bamako. An inflammatory statement made on-air by a host of *Renouveau FM Radio* motivated the governor's decision. Unfortunately, such a decision is not within the prerogatives of a governor. The Communication High Authority is the only institution that can shut down a press corporation. Although it had a quick and happy ending, this incident is part of hiccups that fan the climate of confusion.

Threats and pressures do not only come from state officials. When press articles, especially investigative articles, denounce some wrongdoings, the people exposed use different methods to intimidate journalists. We had the case where a journalist was beaten up by "thugs" sent by a man whose name was

mentioned in an article the journalist had written. The man had complained that the journalist did not get his version of events before publishing.

Sometimes, the people exposed threaten the journalist's family to coerce them to stop investigating or self-censor. We should also note the direct threats made to journalists by the people they expose. For instance, the current publisher of the newspaper *Les Echos* went to radio *Jamana Diéma*. A jihadist lieutenant threatened the publisher and ordered him to leave *Djenné* within 48 hours. He did so without even having time to take his personal belongings.

It is a challenge for journalists working for official media to report the news "like it is", whilst the 'editorial line' imposed on the media makes the editors 'polish' the journalists' report, if not outright censor those reports. Due to all these constraints, panellists feel that investigative journalism is purely and simply dying.

Most panellists state that although citizens generally speak freely, fear still exists because of the security situation. This has become even more evident in recent years, with the government struggling for legitimacy. A panellist goes further by saying that some mafia groups use the difficulties that the country is facing to take control. These mafia groups want to silence the population to secure their interests, threatening freedom of expression. This situation posed by the multiple threats makes it difficult to identify the actors carrying out targeted attacks or kidnappings and make people cautious. Still, a panellist insisted that there is undeniable progress on the issue of freedom of expression. Today the production of content is no longer the concern solely of journalists. Citizens actively participate in this production of information.

Despite all these challenges, some citizens continue to actively exercise their right to express themselves. A panellist recalls the story of a popular radio presenter in the region of Gao, who denounced some of the abuse of power and violations of rights and freedoms by jihadist forces during their occupation of the city. The presenter refused to be intimidated. The area's young people also marched and held night vigils to protest against the shutdown of entertainment establishments like gaming arcades and stadiums. Another panellist pointed out that today in Bamako, when citizens are not satisfied with service delivery in the public services (municipalities, police stations, etc.), they quickly take out their phone to make a video to report what went down their faces uncovered. The "whistleblower citizens" even indicate the time and place of the incident.

Outside the main urban centres, the situation is more hostile towards freedom of speech. Nevertheless, people do speak out with their faces uncovered to denounce what they consider unfair; even this means putting themselves at risk. A female panellist pointed out that although people are speaking out much more, they still do so with fear on specific subjects. This panellist gave the example of the alleged assault of a young lady by a Malian singer, Sidiki Diabaté. People who dared to condemn what happened to the young lady publicly were verbally assaulted, threatened on social media or received threats by email. She went further by saying that regardless of the subject discussed publicly today; some people take rather extreme positions due to a weakened government and the socio-political and economic situation that weakens individuals. Another

obstacle to the freedom of expression is that as soon as you want to speak out publicly on social events, you must expect people to investigate you, your family and your close acquaintances in order to slander you.

Social pressure is another serious issue that plagues freedom of expression in Mali. According to a panellist, it is even more harmful than pressure from the authorities. This same panellist argues that one example that illustrates it ideally is the debate on family law. Religious leaders made the Malian society believe that the family law was anti-Islamic. A popular debate programme was supposed to offer a platform for different stakeholders to present their points of view. These stakeholders included Iman Dicko, who was one of the most vocal challengers of the law. At the last moment, he declined the invitation, but it was too late to remove his name from the programme. The host's father, who got wind of the situation, forbade his son to present the programme. The son obeyed the father.

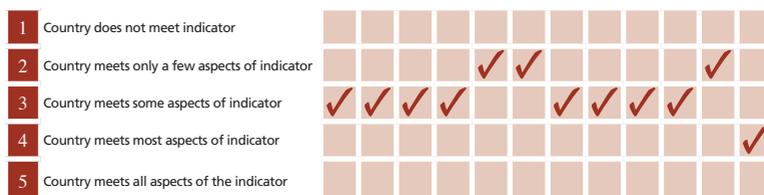
Furthermore, restrictions or shutdown of the internet or social media blocking are means of pressure on freedom of expression in the country.

Civil society organisations (CSOs) do not face the same pressures as journalists. They express their opinions on all the sensitive subjects that are trending or creating a buzz without any fear. However, things get complicated when they want to issue press releases, hold press conferences or protest through demonstrations or sit-ins. When the demonstrations are not cancelled, they are forbidden by the authorities and even forcefully repressed when the organisers refuse to stop. Another panellist noted that CSOs are not entirely independent because they receive state subsidies to operate or perform their activities. Indeed, large organisations such as *le Conseil National de la Société Civile* receive financial resources from the state without any accountability from these organisations. By accepting these funds, CSOs risk losing their independence and being dictated to. This leaves a door open for pressure on these organisations from the state.

Another panellist contests this assessment of the situation. He maintains that some CSOs do not receive government support because they are desperate to maintain their independence. Financial pressure also comes from international organisations that fund the local CSOs. The funding coming from these international partners is tied to "change theories" that the locals may not necessarily adhere to but are forced to accept to secure this funding.

Scores:

Individual scores:



Average score:

2.1

1.3 There is NO legal provision that restricts freedom of expression or law prohibiting the operation of the media (for example, National Secret Law, Defamation law or statutory requirements).

There are restrictions on freedom of expression. For instance, Act N° 2019-056/ of 5 December 2019 to clamp down cybercrime, in its articles 74, 75 and 76, authorises the search and seizure of digital data from online media for an investigation. Moreover, in article 13 of the same law, there is a provision for fines ranging from 10,000,000 to 200,000,000 CFA. This is in contradiction with Malian law that decriminalises press offences.

A panellist finds that the Act N° 00-46/AN – RM of 7 July 2000 on the management of the press and press offences allows journalists to be imprisoned for press offences. He also believes that the press sector laws need to be re-evaluated.

Another concern of a panellist is the legal status of the HAC. Indeed, article 7 paragraph 2 of the Constitution of Mali (25 February 1992) provides: *access for all to the state media is ensured by an independent body which status is set by an organic law*. This body is supposed to regulate communication and the media in the country. Thus, the National Committee for Access for all to Atate Media (CNEAME) had been set up and is mainly active during the electoral period. Aside from CNEAME, the High Council for Communication (CSC) was also solely dedicated to media regulation. The CSC was dissolved due to the establishment of the HAC. Unfortunately, during the establishment of the HAC, the CNEAME was not dissolved, nor were its prerogatives passed to HAC.

Thus, the HAC, which manages communication and the media in Mali, does not currently have the same access to state media. This lack of clarity confuses roles at the staff level of the two organs on the attributions of each institution. During past elections, several staff members of CNEAME accused the HAC of not fulfilling its mission, whilst insisting that fair access to state media was instead the role of CNEAME. One panellist even accused CNEAME of being a blocking instrument to limit access to state media for the opposition. It should be noted that the merger process between the two bodies has begun.

Another panellist defines the issue as the lack of political will from the authorities and the regulator to improve regulations in the media sector. He takes the example of the request from online media professionals to have their legal framework. Considering the request, the German foundation Friedrich-Ebert-Stiftung (FES) has funded the development of a draft law. The then line Minister blocked this project. On the other hand, HAC has adopted the logic of tweaking existing texts instead of fighting for a new specific text of law, providing a proper legal framework for online media says the same panellist.

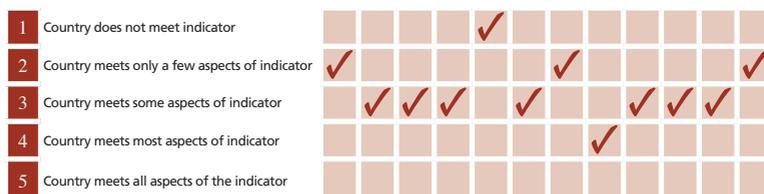
Another panellist says that it should also be noted that the authorities are trying to take advantage of the current state of emergency to impose more

restrictive measures. Thus, during the establishment of the State of Emergency (for security reasons since 2017 as well as for Covid-19), the Ministry of Territorial Administration and Decentralization released a set of measures, including the curfew, which when implemented would have had a very negative impact on the activity of press professionals. Fortunately, the lobbying undertaken by organisations speaking on behalf of the industry has allowed journalists to be exempted.

The Cybercrime Law is a recommendation of a United Nations Cybercrime Commission dedicated to the fight against cybercrime. On this basis, the ECOWAS Council of Ministers proposed the main lines of the law for its member countries. However, Mali has instead chosen a repressive approach.

Scores:

Individual scores:



Average score:

2.7

1.4 The Government strives to honour regional and international instruments on freedom of expression and media freedom.

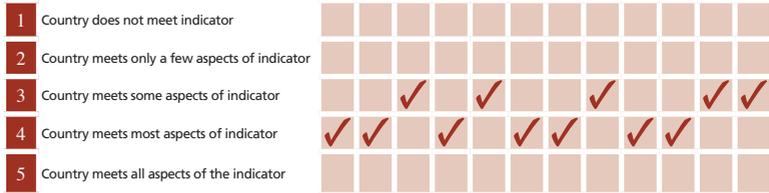
The general opinion is that Mali is “an all-around champion” of ratifications of regional and international instruments. Thus, Mali ratifies all the conventions and incorporates them into its national legal system, yet their implementation remains partial. Another problem noted is that the transposition of these international conventions should have resulted in a review or amendment of specific existing laws. This is often not done and leads to several legislations for the same subjects: some adhering to international standards and other legislation drafted following the local legal spirit. These equally binding laws are sometimes even conflicting. This situation gives magistrates the latitude to choose which legal texts to apply.

There is, therefore, an essential need for the harmonisation of national laws with adopted international conventions. The Act of 7 July 2000 on the management of the press and press offences is a text created to respond to a national need, while the law relating to the repression of cybercrime derives from an international instrument. The two legislations approach the issue of criminal punishment differently, and it is then left to practitioners’ discretions to use either.

Two other issues sometimes arise – you may have several ministers involved in implementing the same convention, and the reshuffling of ministers weakens the interpretation of the legislation.

Scores:

Individual scores:



Average score: 3.6

1.5 Written publications do not require prior vetting by the authorities before being published.

In terms of creating written publications, a prescribed declaration is the legal prerequisite in Mali. The Act N° 00-46/AN – RM of 7 July 2000 on the management of the press and press offences provides the conditions for creating newspapers or periodicals. In article 7, this law states: *Prior to the publication of any newspaper or any written periodical. It shall be submitted, at the Office of the Magistrate Court, a declaration of publication presenting:*

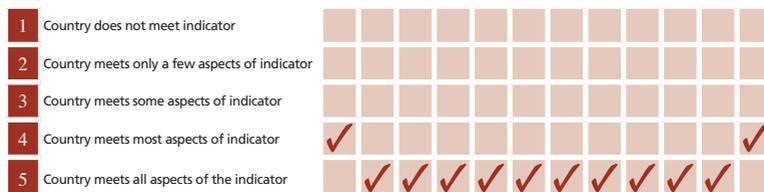
- The name of the newspaper or written periodical and its cycle of publication;
- The name and address of the publisher;
- Information about the printing house;
- An indication of the print run.

Furthermore, articles 9, 11 and 13 states the conditions to be met during the registration (the name and address of the printer, the offices of the newspaper, the publisher whose name will be on all copies and provide copies for archiving purposes), the nationality of the owner or majority shareholder (they must be Malian) and conditions to be a publisher (21 years old and above enjoy their full civic rights and reside primarily in Mali). It emerges from these articles that creating a printed publication is declaration based. The stopover by the Magistrate Court ensures the criminal record of the publisher is clean. With its foreign publisher, the newspaper Mali Horizon stands out, but loopholes within the law were used whilst establishing this newspaper.

The law on cybercrime requires precise information on the founders, the financiers and the management because, in the current context of terrorism, it is necessary to prevent the press from being infiltrated by terrorist groups that will finance these press corporations to preach their version of the truth or visions of life. Moreover, this funding can also serve as a money laundering opportunity for terrorist organisations. It is worth pointing out that accepting funding from a terrorist organisation is a crime.

Scores:

Individual scores:



Average score:

4.8

1.6 Confidential information Sources are protected by law and the courts.

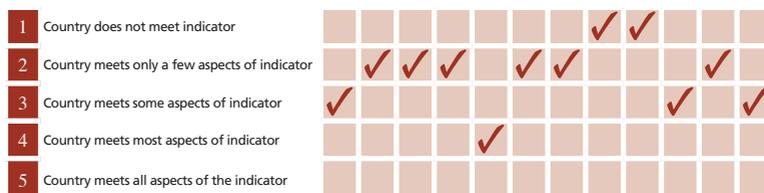
The Act N° 00-46/AN – RM of 7 July 2000 on the management of the press and press offences does not expressly protect journalists' sources. But in practice, the protection of sources comes from professional journalistic practices. Journalists protect their sources from remaining credible with their informants and the public. Since the law does not recognise the protection of information sources, it cannot be opposed to an investigating judge or prosecutor. In the absence of a law giving the journalist the right to refuse to reveal his sources, a magistrate's refusal to comply can be deemed an obstruction of justice. The journalist can be prosecuted for it in a criminal court.

According to a panellist, even if magistrates ask journalists for their sources, in practice, when the latter refuses to reveal them, it does not go any further. The panellist cited the trial of the publisher *Le Pays*, Boubacar Yalcoué, in 2018. In this case that opposed the former to the Presiding Judge of the Constitutional Court, Manassa Dagnoko, the journalist did not give his source, and he was not prosecuted for it.

"Whenever there is a defamation lawsuit, the judge systematically enquires about the sources; because when he is presented with a case, his duty is to prosecute the authors, co-authors and accomplices," affirmed another panellist.

Scores:

Individual scores:



Average score:

2.3

1.7 Public information is easily accessible and guaranteed to the public by law.

There is no law dedicated to access to information, but access to information is guaranteed by Law N° 98-012 of 19 January 1998. This law defines the relations between the public administration and public services users. Yet, despite this legal provision, information is not always easily accessible. The various state structures were asked to create information centres to provide guidance and information to implement this law effectively. Unfortunately, this strategy based on institutional development has failed to facilitate access to information for users.

Several reasons may be the direct cause of the difficulties that one experiences in accessing information: professional clauses of confidentiality that bind certain professions, if the information is part of an ongoing investigation, approaching the wrong official within an institution, the illiteracy rate in the country (since the texts are not systematically translated into local languages). Another reality that limits access to information, according to one panellist, is the lack of trust between journalists and the officials within the Administration. The latter becomes suspicious if a press professional becomes interested in a subject or a project that has to do with their office.

A panellist used as an example the Ministry of the Economy and Finance, where all information regarding the budget is systematically published as reports that are available on the ministry's website. Information on procurement is also published in newspapers. This effort by this ministry can be linked to directives from the West African Economic and Monetary Union (WAEMU) that compels each Ministry of Finance to publish this information. According to the same panellist, access to data proves much more complex for other sectors. He illustrates his case with electoral information that is much more difficult to obtain, even if it is technically public. Although electoral polling lists and the minutes of the results of each polling station are displayed in front of the said station, in practice, the implementation of the electoral law by the Electoral Commission tends to limit access to this information. In 2018, it took an enormous amount of pressure to bring the Electoral Commission to publish the results of each polling station. When the Electoral Commission finally gave in and published the results, it was done in a PDF version that required particular expertise to transform it into a usable document and compile the results independently.

Another panellist believes that the government goes out of its way to prevent access to public information, even if the law prescribes such access. He takes the example of a television programme, *A nous la cité*, which opened to the public the operations of public institutions, the issues they tackle and their decision-making processes. When the authorities became aware of the interest that the TV programme was generating and the resulting public awareness to hold them accountable and question their choices, it was decided to stop this program.

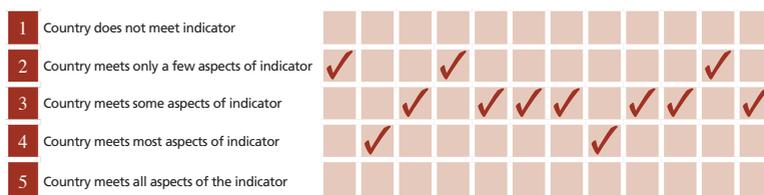
Civil society actors generally find that administrative authorities facilitate their access to public information, be it at the local or national level. Political and

administrative authorities they meet during their advocacy endeavours respond reasonably favourably. The issue for most of the authorities is how to find the resources required to disseminate information. Alternative solutions such as USB keys or paper donations to help with copies might circumvent these difficulties.

A panellist pointed out that most public documents now exist in an electronic format and are accessible on the website of the Secretariat of Government that centralises these documents. However, each ministry has its own website where this information is also available.

Scores:

Individual scores:



Average score:

2.9

1.8 Websites, blogs and other digital platforms are not required to register with or obtain permission from State authorities.

Websites, blogs and other digital platforms are not required to register with or obtain authorisation from administrative authorities. However, article 27 of the Cybercrime Law requires websites, blogs and other digital platforms to indicate whether they belong to individuals, organisations, or even communication corporations. Nevertheless, whilst creating these digital platforms, the host is compelled to collect a certain amount of information on the owner. This is the information that the law will work with. The law prescribes that this information be available on digital platforms to avoid contravening the law. The host may offer the client the possibility to protect some of the information provided during creation under the seal of professional confidentiality. However, if the platform is involved in illegal activity, the state can demand access to the information from the platform host. This procedure can be assimilated to registration by the declaration for digital platforms. This declaration must be made simply online and not by an administrative official. It is important to note that those who contravene these laws open themselves to the possibility of criminal charges and prison sentences ranging from 6 months to two years. The law on the protection of personal data also requires the same information. Search engines no longer list sites that do not provide this information.

A global regulatory authority manages domain names, ensures that industry regulations are respected, and resolves conflicts. In the case of the internet,

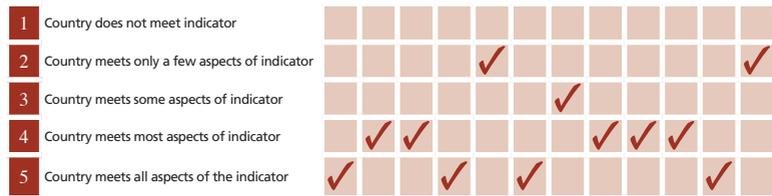
physical space does not apply, and digital regulators or the host (such as Facebook) are relied upon. Hosts have laws that all users need to comply with. A good example to illustrate this is the case of US President Donald J. Trump on the social network Twitter, whereby he was blocked and kicked out of the platform for failure to comply with the rules set up by the platform.

Furthermore, when the person who created the platform does not reside on national territory, the onus is once more on the online authority. The law covers this case on cybercrime that in article 2, defines the scope of the law and states the following: *This law applies to:*

- Any offence committed partly or entirely within the boundaries of the territory of the Republic of Mali by means of Information and Communication Technologies;
- Any offence committed in cyberspace and that has effects on the national territory. disappear. In effect, it is mainly the government that uses the .zm domain name.

Scores:

Individual scores:



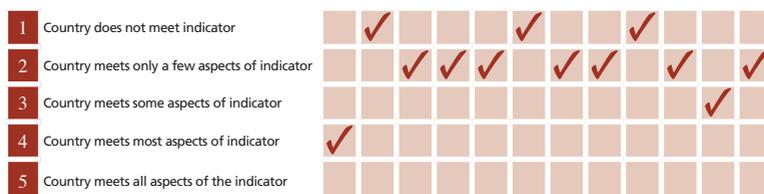
Average score: 3.9

1.9 The state does not seek to block or filter Internet content unless prescribed by laws that set up restrictions with a legitimate purpose. These laws must be necessary to a democratic society and enforced by independent courts.

The Malian state excessively censors information, and cybercrime and telecommunications laws allow the authorities to issue directives limiting internet access. Very little unrest is necessary for the minister to request that the two mobile networks (*Orange* and *Malitel*) shut down internet service. All elections since 2013 have been subjected to an internet shutdown. There are three levels to the internet shutdown: the first is to reduce the quality of services; the second blocks certain websites, discussion platforms, social networks or applications (such as WhatsApp, Twitter, VPN); and the third is a complete shutdown of all services. All three levels of censorship commonly occur in Mali. The most recent examples are the 2018 elections and the protest movement of 5 June 2020.

Scores:

Individual scores:



Average score:

2.0

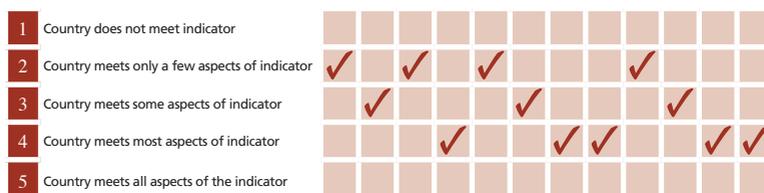
1.10 Civil society in general and media pressure groups actively campaign for media freedom.

Civil society actors, in general, claim that they actively support the cause of the media, whether on an individual or collective basis. A panellist mentioned that the *Maison de la Presse* is a member of the Civil Society National Council and participates in all the important civil society events. As soon as journalists are in trouble, CSOs take a stand to defend the Malian press. Trade unions that defend all sorts of victims of abuse particularly support the freedom of the press. Reciprocally, media, as stakeholders, are associated with all training and advocacy done by CSOs. However, in 2019, an incident in which a journalist faked his own kidnapping, brought this solidarity to a halt. At the time, CSOs (both locally and internationally) mobilised to support the victim, but after the truth was discovered, it negatively impacted the future mobilisation of CSOs.

On the other hand, media actors find the support of CSOs relatively weak. A panellist said that civil society was initially supportive of the press, but this is no longer the case as civil society has become political, and politicians do not want freedom of the press to progress. The same panellist said that civil society no longer plays the role for which it was created due to corruption by politicians. Other panellists had a milder judgement, acknowledging that CSOs mobilise to defend the press, but this support could be more active. CSOs are often vocal in defending these freedoms during the International Press Freedom Day events.

Scores:

Individual scores:



Average score:

3.1

1.11 Media legislation results from constructive consultations between state institutions, citizens and stakeholders.

According to most media professionals, the media legislation is not the result of consultations between the state, citizens and stakeholders. The Act N° 00-46/AN – RM of 7 July 2000 on the management of the press and press offences was drafted without the input of media professionals; whilst in 1994, Information National Days were held and could have served as a cornerstone of this legislative process.

When it comes to the law N°2019-056/ of 5 December 2019 on the repression of cybercrime, media professionals were not involved either. A panellist recalls that the Ministry of Justice partly drafted this law which was meant to complete the legal arsenal of the specialised judiciary task force. Several panel discussions and workshops were organised during the drafting process, and representatives of the press were invited. However, the positions of the media representatives that participated do not necessarily reflect the position of the rest of the industry.

This is a fairly common problem in how bills are passed into laws. Although stakeholders are involved in the bill's drafting, the debate does not create a conducive environment to ensure a broad consultation at the grassroots level. A female panellist mocked the whole process by stating that the need for a new law is often created by an international or a regional treaty, or by a sponsor financing the whole endeavour, or from a local need. Then a consultant is hired, and the latter produces "something", and you are invited to a presentation mainly to validate what has already been done. The consultant does their "show", and the audience is hardly given room to contribute and then, it's over. When it comes to the specific case of the law on cybercrime, the expert commissioned was the Chief of Staff of the Ministry of Communication. The consultations took place at the National Assembly, and no media representative was invited. Although the expert commissioned was initially a media professional, he could not represent both parties. Despite attempts to amend the law by media professionals, these requests have not been considered.

The Committee for Strategic Orientation, which falls under the umbrella of the Office of the Prime Minister during the current political transition, is ironically dubbed "the second parliament". This committee is entrusted with driving state reforms during this political transition and, among those, legislative reforms. Some media professionals believe they have been side-lined. In contrast, others believe that politicians and civil society, including the media, all sit at the committee and that the media's interest is therefore represented. During this AMB discussion, it came to light that the above information is incorrect and that the committee has no specific media representative, which upset certain media professionals on the panel.

Since the media industry sector is not well organised, the state plays on its weakness.



Scores:

Individual scores:

1	Country does not meet indicator					✓	✓						✓	✓	✓
2	Country meets only a few aspects of indicator		✓	✓	✓				✓	✓	✓				
3	Country meets some aspects of indicator	✓													
4	Country meets most aspects of indicator														
5	Country meets all aspects of the indicator														

Average score: 1.7

Overall Score for Sector 1: 3.1

NB: After Sector 1, a panellist had to leave because of a family emergency and did not return until the end of Sector 4



SECTOR 2:

The media landscape, including new media, is defined by its diversity, its independence and its sustainability.

2.1 A wide range of information sources (Print media, audiovisual media, internet, mobile phones) are available and affordable for citizens.

The Malian media landscape is officially made of 107 commercial radio stations, 222 non-commercial radio stations, 25 commercial television stations and 5 non-commercial television stations, according to official figures from the High Authority for Communication. It should be noted the members of the panel claim that there are 46 private TVs and over 400 radios. In addition, according to the Association of Press Editors, there are more than 235 newspapers listed, with approximately 15 dailies and around 20 pending membership applications. The Online Press Association recognises about 100 online news organisations, excluding bloggers.

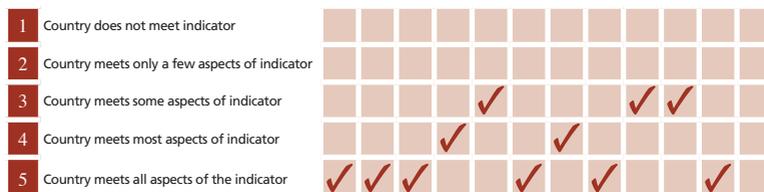
According to a panellist, quoting from a *Free Press* report, 95% of Malian households had access to the radio in 2017. There is a joke that goes like this, “After the harvest, the farmer buys a radio, a bicycle and takes a new wife.” This sheds light on the importance of radio in rural areas. A female panellist reminds us that the sources of access to information are the radio, television, and the internet. Every Malian household has access to at least one of these sources. Although the panel did not agree on the price of receivers, they did agree that every Malian household can afford it, especially the radio set that can be purchased at 1,000 CFA (1.52 €). Some organisations have distributed radio sets in the villages to promote access to information.

More and more, Malian households have subscribed to satellite packages – even in rural areas; there are antennas on the huts. There is a satellite package in almost all households in Bamako. Print media, newspapers and the internet are more accessible in large cities. Generally speaking, access to sources of information is no longer the problem, but diversity remains an issue. According to a panellist, community radios are widely spread, but they do not provide news. The cost of data is too high for the average Malian; hence its use is limited. Fortunately, the social mechanisms of solidarity still work. When someone has WIFI at home, they allow the neighbourhood to benefit from it.

The average price of the written press is 250 CFA (0.38 €), which is quite expensive compared to neighbouring countries such as Senegal, where the newspaper costs between 100 and 200 CFA (0.15 and 0.30 €). Moreover, the price of a newspaper is 2.5 times the price of a loaf of bread (100 CFA or 0.15 €). With a monthly internet package of 200 CFA (0.30 €), you can access websites such as maliweb.net or malijet.com, which provide an overview of the news, with the leading articles from more than 10 newspapers. The press review on the radio is also a very popular programme in Malian households. The Tamani Studio broadcasts the news on community radios across the country.

Scores:

Individual scores:



Average score:

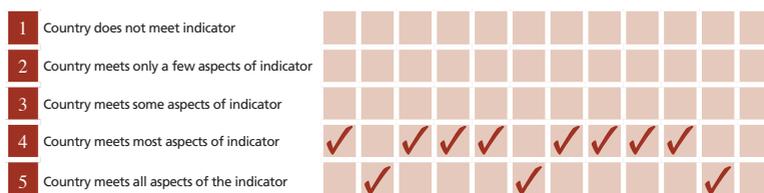
4.3

2.2 The State does not restrict access to national and international media to its citizens.

There are sporadic cases where the signal of Radio France Internationale (RFI) is scrambled. It also happens that, during demonstrations or elections, the signal of the internet is downgraded or blocked to restrict access to social media and prevent protest organisers from using social media to mobilise or give instructions to the public. During the demonstrations of the Movement of 5 June in 2020, particularly from July, the *Renouveau* television was covering the demonstrations live, and its signal quality was systematically downgraded or even blurred.

Scores:

Individual scores:



Average score:

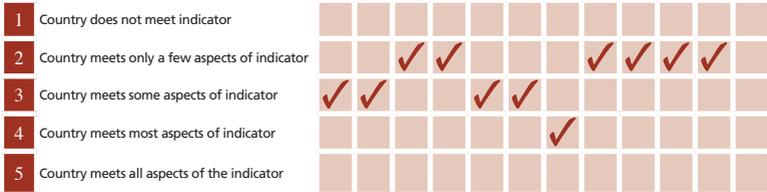
4.3

2.3 The editorial freedom of government written press is sufficiently respected.

The Malian Press and Advertising Agency (AMAP) is the state-run press agency that publishes 5 newspapers: the French national daily, *l'Essor*, and 4 other publications in the local languages (Bambara, Soninke, Fulani and Songhai). The editorial independence of AMAP is not guaranteed, for it is a government that appoints its directors, funds it, and has a direct influence on its editorial content.

Scores:

Individual scores:



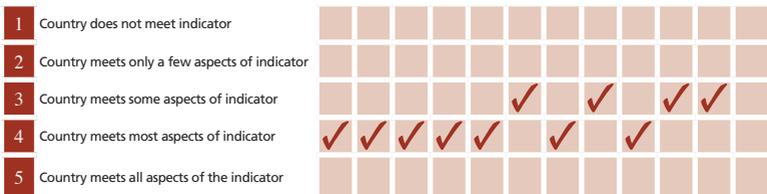
Average score: 2.5

2.4 The law requires transparency on the ownership of print/and audiovisual media companies. This legal requirement is well respected.

The Act N° 00-46/AN – RM of 7 July 2000 on the management of the press and press offences as well as N°2019-056/ of 5 December 2019 on the repression of cybercrime, require that the applicant declares the owners of the press organisation as well as the financier. The law on the management of the press and press offences states in article 12 that: *Anyone found guilty of having, in any way, fronting with his/her name the owner or majority shareholder of a media corporation to enable him/her to escape the rule enacted in article 11 is punishable by a fine of 150,000 to 15,000,000 francs.* Article 11 is clear enough as it states that: *all owners and majority shareholders of press corporations must be of Malian nationality.* However, some owners are suspected of using front people, although this is unproven.

Scores:

Individual scores:



Average score: 3.6

2.5 Adequate competition law/regulation seeks to prevent media concentration and monopolies.

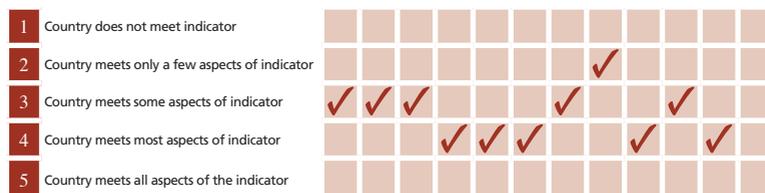
Act N°2016-006/ of 24 February 2016 on the competition regulation regulates competition in general in Mali. This law does not explicitly target the press industry. However, Act N°2012-019/ of 12 March 2012 on private audiovisual communication services in Mali explicitly addresses competition. In its article 27, it states that: *In accordance with the provisions of the law on the regulation of competition, are prohibited, directly or through a subsidiary company established outside Mali, all practices that may have the effect of preventing, restricting or distorting the game of competition or creating a situation of abuse of a dominant position.*

Furthermore, regulatory authorities ensure access to services and the media is guaranteed to the populations and that competition rules are enforced. Indeed, the Law N° 2015-018/ of 4 June 2015, modifying and ratifying the Ordinance N° 2014-006/P-RM of 21 January 2014 establishing the High Authority on Communication (HAC), gives mandate to the HAC to rule on all practices restricting free competition or favouring the creation of cartels in the communication sector. All in all, Malian legislation/regulation has the tools to prevent the concentration of the media and monopoly situations.

In the 1990s, certain media groups, including Jamana, TDM and Kayira, wanted to monopolise the press. At the time, the public saw it as an attack against the freedom of expression and freedom of the media that the country had just regained. The state stopped this attempt, and since then, there have been no other attempts to build monopolies.

Scores:

Individual scores:



Average score:

3.4

2.6 The Government promotes a diverse media landscape, with an economically self-sustainable and independent press.

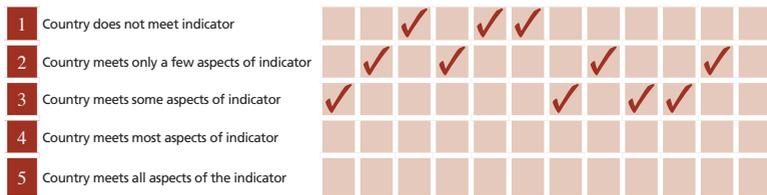
The government does not promote a diverse media landscape with an economically sustainable and independent press. The first argument is that the government’s position is the monopoly held by AMAP on all public advertising. This situation deprives the private press of this revenue. The second complaint concerns the press subsidy, which in 1996 200,000,000 CFA (304,898.03 €); which was increased to 300,000,000 CFA (457,347.05 €) under the government of President Ibrahim Boubacar Keita. The funds were availed only twice. The worst was that the subsidy could not be distributed for two years because the amount received from the state was insufficient (50,000,000 CFA or 76,224.51 €). This subsidy is distributed to the entire press, whether publicly or privately owned. When one takes the development of the press over the last decades and the amount paid as a subsidy, there is no match. Thus, a newspaper such as *Le Ségovien*, which received around 2,000,000 CFA (3,048.98 €) in 2003, only received a tenth of that amount in 2018 (200,000 CFA or 304.90 €).

The conditions to qualify for the subsidy are criteria such as the regularity of issuance of the publication, registration at the social security fund, paid-up taxes, etc.

Unfortunately, the online press does not receive this help.

Scores:

Individual scores:



Average score: 2.1

2.7 Media represent equally women and men.

Media professionals are aware of the challenge of equitable representation of men and women in their content, which is hampered by socio-cultural obstacles. For instance, women require their husband’s permission (or that of the head of the household) before speaking in Malian society. People do also not readily accept women speaking in public. A female panellist says that things are changing for the better, and more and more women are speaking up. Signs of it can even be seen in the fact that there was a female candidate in the 2018

The same goes for issues of sexual violence – a sensitive issue because it is easy to get caught in a cycle where the victim suffers twice. After the violence of the traumatic event, one has to put up with the social stigmatisation that questions the victim more than the rapist and almost legitimises the rape. Rape victims must put with questions such as: “What clothes did they wear? Why were you out so late? Why were you visiting a man?” One female panellist claimed that “Some of the people who are today in the position to enforce the law on the rape case sometimes laugh it off or minimise the fact because they have probably committed such acts in the past. They cannot begin to understand how devastating this is for the victim.”

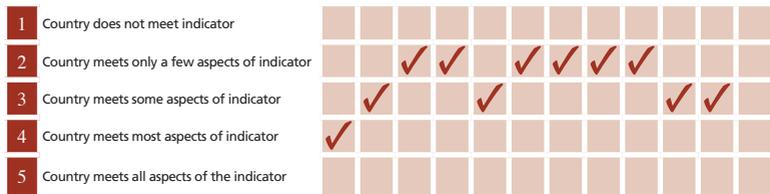
Homosexuality is even a bigger taboo in Malian society. Openly declaring your homosexuality or making a “coming out” generally leads to one of the following outcomes: being mugged or being outcast by your family. These constraints are also found among CSOs working in the human rights field. As part of developing a legal guide on protecting vulnerable people (drug addicts, homosexuals and sex workers), the CSOs requested that the homosexual aspect be removed from the project. This request was refused, and when it was time for the sensitisation campaign, none of the CSOs wanted to present the guide.

As far as ethnic conflicts are concerned, after 2016, it was almost impossible for people from rival communities to be invited to each other’s radio stations. This made it difficult to organise events (such as round table discussions) between the communities. This situation has improved a lot since then.

A majority of the panellists felt that minorities (disabled, youth, seniors, etc.) are fairly represented in the media. A case that highlights this is the transition charter that emphasises the representation of minorities in transition institutions. However, a panel member felt that the representation was not fair. Development partners have heavily funded the training of journalists on these issues.

Scores:

Individual scores:



Average score: 2.5

2.9 Media cover all economic, cultural, political, social and local issues, and they carry out investigative journalism.

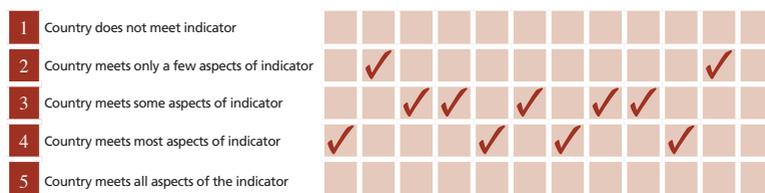
The general opinion is that the Malian media are mainstream-oriented with a strong political component over other subjects. According to one of the panellists, this is because sensational news attracts media consumers, be it in politics or social news. Political news ensures the newspaper good visibility and increased advertising. The same panellist also highlighted the training issue; journalists find it hard to pick a beat due to poor training. When topics outside of politics are covered, journalists just cut and paste press releases. Last but not least, due to budgetary constraints, the media cannot do investigative journalism.

During the June 5th Movement – Rally of Patriotic Forces (M5-RFP), when Bamako “was burning”, *France 24* television gave it full coverage, whilst ORTM completely ignored what was happening. The Malian broadcaster only posted some elements on its Facebook page.

Despite the main trend, nowadays, there are a few specialised media that focus on economics (*Secret bancaire*), culture (*La culture, Notre nation*), sports (*Info sports*) or education (*Journal Universitaire*).

Scores:

Individual scores:



Average score:

3.2

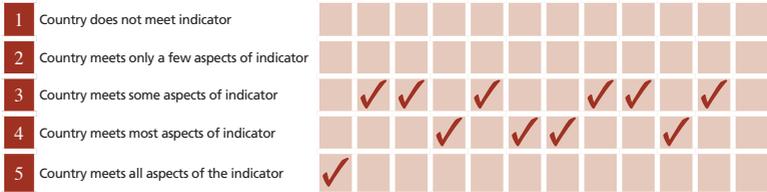
2.10 Private broadcasters offer a minimum of quality programmes and programmes of public interest.

The general assessment is that private broadcasters (such as *Kledu Group* and *IK FM*) offer a minimum of quality programmes and programmes of public interest, be it radio or television. However, a panellist pointed out that these private broadcasters have their programme schedules polluted by advertisements for traditional healers/traditional therapists, religious or music.

Some broadcasters, such as *Studio Tamani*, produce good quality work

Scores:

Individual scores:



Average score: 3.5

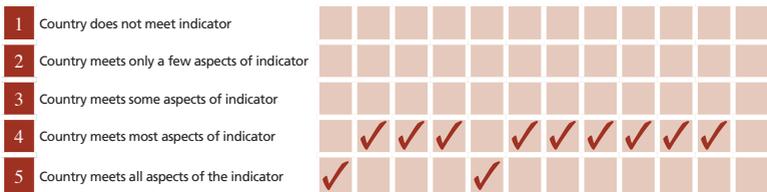
2.11 The country has a coherent ICT policy, and the government is implementing positive decisions that aim to cater for the information needs of all citizens, including disadvantaged communities.

Since 2000, Mali has put instruments and policies in place to develop Information and Communication Technologies (ICT). The latest is the National Policy for the Development of ICTs of 2015. The Universal Access Fund Management Agency also plays a crucial role in countrywide distribution strategy, aiming to make the internet accessible and affordable to everyone in Mali. The various finance ministers that have succeeded strived to lower the communication rates.

This policy encourages mobile operators to complete meshing the whole of Malian territory. Where access to electricity is an issue, special programmes are set to install street lamps to help access electricity. They are in turn used for the spread of ICT.

Scores:

Individual scores:



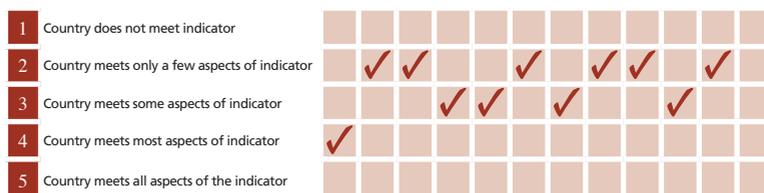
Average score: 4.2

2.12 The Government does not use advertising contracts as leverage to influence editorial content.

The government uses its influence to ensure that advertising contracts go to media with favourable editorial content. One panellist who claims to know how advertising contracts are awarded says that government advertising contracts are never awarded to critical media. In addition, the duration of these contracts is only three months. This is to maintain maximum pressure on the media. Most advertising comes from private communication agencies.

Scores:

Individual scores :



Average score:

2.5

2.13 The advertising market is large enough to sustain a diverse press.

The advertising market is not large enough to sustain a diverse press. Some media manage to get advertisements, but it is usually insufficient to sustain them. The radio stations share the market for notices and press releases. Unfortunately, with the boom of radio stations, the market to be shared keeps diminishing. The competition practices have killed this market by dropping the prices from 1,500 CFA (2.29 €) per broadcast to 500 CFA (0.76 €).

The advertising market is controlled by *Diop Fall et Associés* (that has *Orange* in its portfolio) and *Spirit* (that has *Malitel* in its portfolio), as *Orange* and *Malitel* are the two leading mobile telephone operators in Mali.

The panellists have noted that the market has shrunk since 2016. This is partly because of the media boom. The 2019 COVID pandemic and the security crisis that plagued the country negatively affected the advertising market. One panellist claimed advertising accounted for 20 billion (30,489,803.45 €) in 2018.

Scores:

Individual scores:

1	Country does not meet indicator			✓									✓		
2	Country meets only a few aspects of indicator				✓		✓		✓						
3	Country meets some aspects of indicator	✓	✓			✓		✓		✓		✓		✓	
4	Country meets most aspects of indicator														
5	Country meets all aspects of the indicator														

Average score: 2.4

Overall Score for Sector 2: 3.2



SECTOR 3:

The regulation on broadcasting is transparent and independent. The state broadcaster has evolved into a genuine public broadcaster.

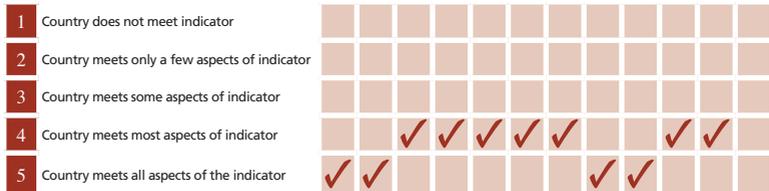
3.1 Audiovisual legislation has been adopted and implemented. This has created a favourable environment for public, private and community broadcasting.

The Communication High Authority was established by Ordinance N° 2014-006/ P-PM of 21 January 2014. This Ordinance was ratified by the Act N° 2015-018 of 4 June 2015, amending and ratifying the Ordinance of 21 January 2014. In reality, before the HAC, the Communication High Council (CSC) and the National Committee for Equal Access to State Media (CNEAME) regulated the media industry. HAC was meant to replace the CSC and CNEAME; however, to this day, only CSC has been replaced by HAC for the regulation of the media industry.

The Act N°93-001 of 6 January 1993, creating the CNEAME, and the law creating the HAC, are currently those regulating the media industry in Mali. It is the HAC that manages the audiovisual and communication industry daily. Most panellists have a favourable opinion of the management done by HAC. The CNEAME plays a key role during electoral cycles in Mali. Panellists fail to understand why CNEAME has not been disbanded as they feel it is irrelevant.

Scores:

Individual scores:



Average score: **4.4**

3.2 An independent body regulates the audiovisual industry. This body is sufficiently protected by law against interferences. A particular political party is not dominating the board of this regulatory body. The board members are appointed - openly - in consultation with the civil society.

The HAC, because of its statute, is not under the direct authority of the Minister of Communication and Digital Economy. The law that created HAC theoretically protects it from interference. Still, the Chair of the HAC and its management

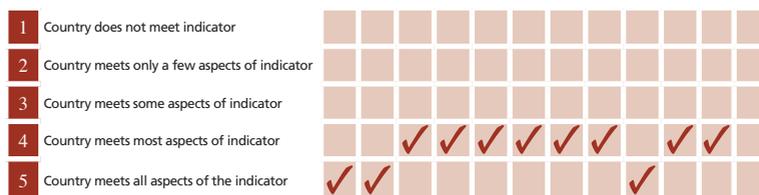
tend to feel indebted to the President of the Republic or the Prime Minister, despite the law's protection.

Article 5: *“The mission of the Communication High Authority is to regulate the communication industry in the sectors of audiovisual communication, print media, advertising through the audiovisual and print media and online press. For this purpose, it has authority for the creation of private broadcasters and television services, the installation and operation of private audiovisual communication services, monitoring, consultation, research, control and sanction.*

The HAC is made up of 9 members, 3 are appointed by the President of the Republic (7-year term), 3 members appointed by the Speaker of the National Assembly (6-year term) and 3 members appointed by professional media organisations (6-year term). “The Chair of the HAC is chosen from among the members appointed by the President of the Republic” and appointed by decree taken in the Council of Ministers. The mandate of the president and the members of the HAC is non-renewable.

Scores:

Individual scores:



Average score:

4.3

3.3 The body that regulates audiovisual services, and licensing, does so in the interest of the public. It ensures that fairness and diversity of point of views representing society as a whole are respected.

The perception is that the HAC gives the frequencies or licenses only based on the revenues. Furthermore, it does not do the follow-up work to get the various promoters to respect their specifications. The quality of the programme schedules of certain broadcasters leads the panellists to wonder how these promoters were able to obtain a frequency or a broadcasting license. There is the example of a radio station that broadcasts in Bamako even though it does not have the license. Another example is that of faith-based channels that obtain licenses that ultimately turn out to be commercial licenses. For some panellists, this seems to raise issues of fairness.

3.5 The editorial independence of the public/ state broadcaster from any political influence is guaranteed by law and enforced to ensure balanced and fair news and current affairs programmes.

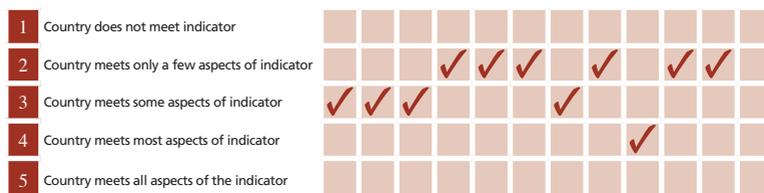
In the opinion of all panellists, ORTM is the government's mouthpiece and does not have editorial freedom, especially regarding political issues. Examples given by panellists were: the M5 - RFP demonstrations were not covered by the ORTM (except for some live broadcasts on their Facebook page); the same is true when civil society demonstrates against a policy driven by the government. Whether they have paid for coverage/airtime or not, these organisations are unlikely to be shown on television, or the broadcast will be one-sided. Another panellist added that the ORTM did not cover the December 2020 strike of Mali's leading trade union organisation, the National Workers' Union of Mali.

However, a panellist drew attention to the fact that at the height of the M5 - RFP crisis, the airtime that ORTM gave the different stakeholders during debates seemed balanced between representatives of the M5 - RFP, the government and those of civil society.

Furthermore, the panellists acknowledge that no private television channel covers more subjects or has a broader reach than ORTM. The same goes for news in national languages. On the television news, the ORTM went from a programme that was only focused on institutions to a news programme that is less political and covers more social issues. A female panellist felt that these positive changes were directly related to the fact that the management of ORTM are aware of how competitive the industry has become and therefore are compelled to evolve.

Scores:

Individual scores:



Average score:

2.5

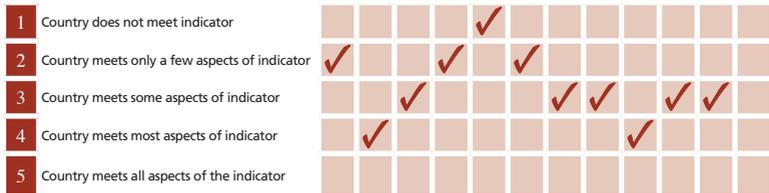
3.6 The public/state broadcaster is adequately funded in order to protect it from political interference through its budget and any commercial pressure.

In the past, the funding received from the state was insufficient to fund ORTM, and the ORTM was unable to generate enough resources to sustain itself. This means ORTM cannot be independent of the state that finances it. Furthermore, there are sizeable private sector donors who also contribute to the budget of ORTM and whose interests need to be accommodated. In conclusion, the public audiovisual service does not have a clear sustainable funding plan designed to protect the ORTM from political interference and commercial pressure.

Nevertheless, the last meeting of the Board of Directors meeting (which took place just before this AMB discussion) adopted a provisional budget for 2021 of 14,520,731,000 CFA (22,136,711.71 €). This is an increase of 3.18% compared to the 2020 budget. Moreover, the ORTM is owed nearly 2 billion CFA (3,048,980.34 €).

Scores:

Individual scores:



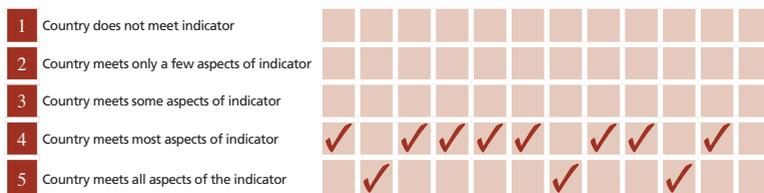
Average score: 2.7

3.7 The public/state broadcaster offers a variety of programmes that take into account all interests, including local content and excellent public interest programmes.

ORTM does offer a wide range of programmes that takes the diversity of the country and minorities into account. Programmes include *Terroir* (which promotes ancestral music), the news broadcast in several national languages, *l'Actu hebdo* (a debate program), *Monde rural* (an interactive programme where listeners can talk live from their workplace), as well as cultural programmes in national languages.

Scores:

Individual scores:



Average score: 4.3

Overall Score for Sector 3: 3.2



SECTOR 4:

The media implement high professional standards.

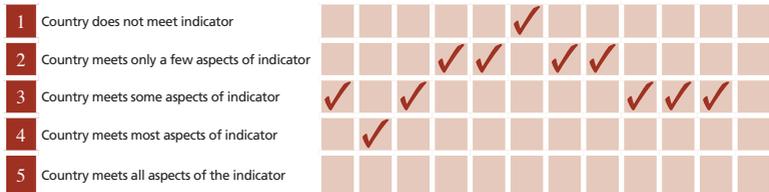
4.1 The quality of the information reflects the basic principles of accuracy and fairness.

Most civil society panellists claim that the treatment of information by the media is not in line with the basic principles of accuracy and fairness. For example, women are only guaranteed airtime during the World and African Days of Women’s Rights celebrations. Concerning accuracy, the panellists noted issues such as the corruption of journalists, the manipulation of information, paid transport allowances, and the unprofessional handling of information by public and private media.

Media professionals sitting on the panel acknowledged that some colleagues handle the news unprofessionally. Thus, one of them pointed out a fairly common practice: after covering an official event, journalists collect the main speakers speeches or simply interview them in order to prevent taking notes or writing summaries. The same panellist also complained about fabricated reports that were different from the reality of the event. Another problem raised was that journalists do not always listen to all sides before publishing. Thus, the information can be biased, especially when journalists are manipulated by one of the parties involved. A lack of professionalism causes all these shortcomings.

Scores:

Individual scores:



Average score: 2.5

4.2 The media voluntarily abide to professional codes and standards that are enforced by independent/ non-legislative bodies that handle complaints from the public.

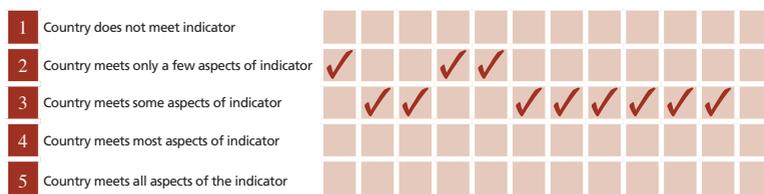
A code of ethics and charters define professional standards for journalists and the media. Generally speaking, these charters are a series of texts that integrate specific principles of the code of ethics and deontology. Adherence to the code and charters is voluntary. There is, for example, the charter for the radio and television stations of the *Fondation Hirondelle*, which is represented in Mali through *Studio Tamani* and in partnership with *Maison de la Presse*. At the level of *Maison de la Presse* and organisations under its umbrella, there are also deontological texts established by the editorial staff.

Nevertheless, not enough media houses signed these charters to trigger a qualitative change in the Malian media environment. The difficulties of training and the circumstances of journalists, among others, create obstacles to respecting these standards in everyday work. Thus, the standards exist but are not sufficiently known or applied. Over the past two years, a few cases of journalists brought to court could have been avoided if the standards of the self-regulatory bodies had been respected.

As far as non-legislative self-regulatory bodies to implement professional standards and the code of deontology are concerned, the Observatory for Deontology and Ethics in the Press has become increasingly irrelevant. Another initiative that has been underway for several years is to create a "Peer Court".

Scores:

Individual scores:



Average score:

2.7

4.3 Salary levels and general working conditions for journalists and other media professionals, including their safety, are appropriate.

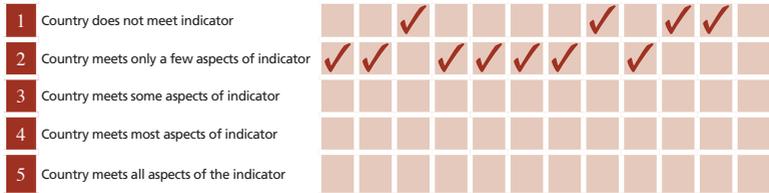
Salaries are, most of the time, too low. The existing collective agreement is difficult to apply for press bosses because they cannot cope with the financial implications. It should be remembered this collective agreement was decided without the involvement of the press bosses. However, negotiations are underway to index the press subsidy to the state budget.

The bosses do not pay social contributions either.

Panellists feel that the safety of journalists and media workers is inadequate as there have been kidnappings, disappearances and other threats to which there is currently no concrete solution.

Scores:

Individual scores:



Average score: 1.6

4.4 Journalists and other media professionals are organised into trade unions and professional associations, which effectively defend their interests.

Two trade union organisations operate in the press sector in Mali: SNIPIL (The Information, Information Technology, Press and Book Industry National Union) and SYJOR (National Union of Journalists Reporters).

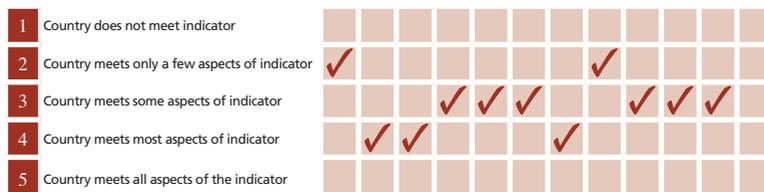
There are also several umbrella organisations of the press in Mali, such as the *Maison de la Presse*, the *Union of Free Radios and Televisions of Mali* (URTEL), the *Association of Private Press Editors* (ASEP), the *National Journalists’ Union of Mali* (UNAJOM), the *Patronal Group of the Press*, the *Online Press Association* (APPEL-Mali), the *Movement for the Protection of the Press against Violence* (MPV-Mali). The main umbrella, the *Maison de la Presse*, comprises most of these press organisations.

Many networks of journalists were set up to defend the particular interests of small groups of journalists in specific areas. These operations of these networks are relatively opaque and do not promote equal access to opportunities outside their network.

The various organisations of journalists and press workers defend the interests of journalists. When a journalist is prosecuted, these organisations mobilise to defend the journalist regardless of what they did. However, they do not fight for material interests, such as salary conditions.

Scores:

Individual scores:



Average score:

3.1

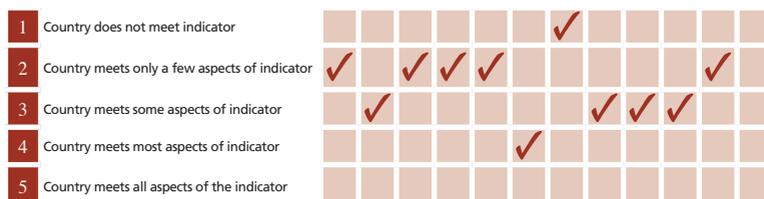
4.5 Journalists and media companies are honest. They are not corrupt.

Generally speaking, moral integrity remains a significant challenge for journalists and media companies. Financial challenges, inadequate training, professional standards, lack of self-regulation, and economic vulnerability make journalists and media companies more likely to succumb to manipulation and the temptations of corruption.

A panellist brought some perspective to the debates on corruption by adding that although there are suspicions of corruption amongst journalists, no journalist has been convicted of corruption so far. The same panellist felt that paying a journalist's travel expenses was the beginning of acts of corruption. For example, when ORTM journalists are invited to cover an activity, the event team is paid 30,000 CFA (45.73 €), despite having already paid 300,000 CFA (457.35 €) to ORTM for this coverage. Some journalists defend this practice, saying that no one forces the organisers to pay it or that the dire financial situation of journalists justifies it.

Scores:

Individual scores:



Average score:

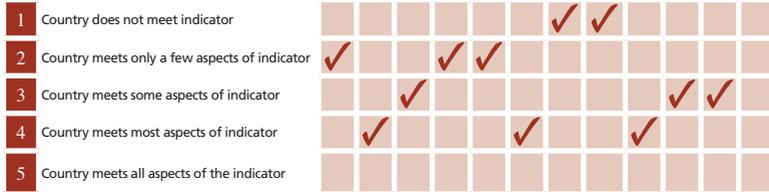
2.5

4.6 Journalists and editors in the private audiovisual and the private print media do not practice self-censorship.

Journalists and editors practice self-censorship for various reasons, including socio-cultural, religious, family, economic and security.

Scores:

Individual scores:



Average score: 2.6

4.7 Media professionals have access to training institutions that offer formal qualification programmes as well as opportunities for capacity development.

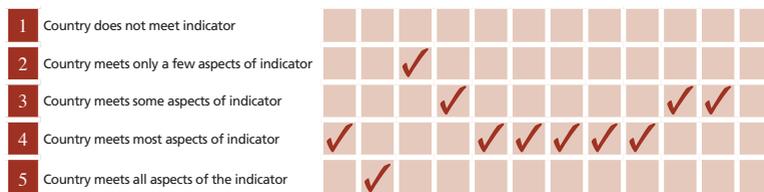
Progress has been made regarding training opportunities for media professionals, with a boom in 2016 of professional institutions training journalists. The AMB of the same year noted that two schools had not yet been accredited. Today, apart from the several accredited private schools that deliver qualifications recognised by the state, the state itself has founded the Higher School of Journalism and Communication Sciences. The first intake was at the beginning of the 2017-2018 academic year. Media professionals appreciate the quality of the training provided there.

The *Maison de la Presse* has also initiated a distance training programme in collaboration with the *École supérieure de journalisme de Lille* (France) in journalism and media. A female panellist says although there are training opportunities, journalists do not always seize them.

The quality of training offered by some schools remains debatable. Some students have obtained a Master’s degree in journalism and do not know what an “angle” is. The Ministry registers the schools or institutions and certifies the diplomas; however, it does not follow up to ensure the quality of teaching provided.

Scores:

Individual scores:



Average score:

3.6

4.8 Equality of opportunity irrespective of race or ethnic origin, social group, gender/sex, religion, disability and age is promoted in press corporations.

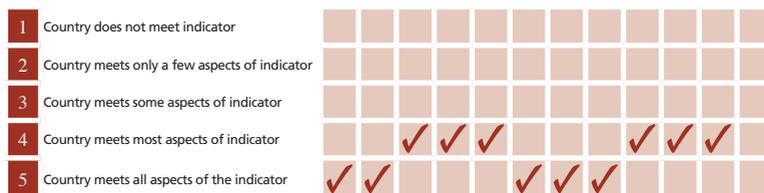
There is no quota policy to ensure equal opportunities in the media; nevertheless, once you enter the industry for equal skills, there is no discrimination.

A female panellist raised the disenchantment of women with print media because more than 200 newspapers employ less than 100 women journalists. She also stated that female journalists have certain advantages over male colleagues; for example, some scholarships are related to gender issues and are prioritised and granted without delay to selected candidates. However, female journalists receive the same treatment as men in everyday working interactions.

Studio Tamani produced a female database of 2,000 experts from all sectors and walks of life to facilitate access to female expertise.

Scores:

Individual scores:



Average score:

4.5

Overall Score for Sector 4:

2.9



FOLLOW-UP QUESTIONS

1. What changes were made to the media environment over the past two/three years?

Negative

- The lack of legal protection of journalists/media sources
- Internet censorship
- The lack of consultation when drafting media laws
- The lack of editorial independence of the state-owned printed press
- The economic precariousness of media companies
- The use of advertising contracts as means of pressure
- The lack of regulation of the advertising sector
- The lack of consideration of public interest in the attribution of frequencies by the HAC
- Lack of adherence to basic principles of accuracy and fairness
- Lack of implementation of the collective agreement
- The deterioration of security conditions impacting the work of journalists
- The lack of press subsidy for two years
- The non-indexing of the press subsidy to the national budget
- The delay in setting up the regulation of the press online
- The deterioration of the image of the press with the public
- The increase of legal troubles
- The increase of fake news

Positive

- The diversification of information sources
- The access to specialised training for journalists
- The gender inclusivity in the media
- The emergence of professional and economically viable press groups
- The enthusiasm for journalism as a profession
- The digital appropriation by the media and journalists

2. What actions to prioritise over the next three/four years?

The advocacy on press-related legislative reforms

- The Malian Media Consultative Forum
- The organisation of continuous capacity-building on the fundamentals of journalism
- A national event for the promotion of excellence in the media

For the launch of the report

- Public presentation of the report with the *Maison de la Presse*
- A mainstream television programme presenting the different sectors covered in the report.

Panellists:

Media (list in chronological order of surname):

1. Dédé Célia D'Almeida, Journalist
2. Ousmane Dao, Journalist, Press Editor
3. Douba Dembélé, Journalist,
4. Nouhoum Keita, Journalist, radio
5. Mariam Koné, Journalist, Print Media
6. Aminata Koné Mariko, Journalist, television
7. Moustaph Maiga, Journalist, Publisher

Civil Society (list in chronological order of surname):

8. Mariam L. Coulibaly, Lawyer and Magistrate
9. Korotomou Koné, Trade Unionist
10. Souleymane M. Maiga, Forum of Civil Society Organisations
11. Alioune Ifra N'Diaye, Producer and Director
12. Tidiani Togola, Leader of civil society organisation

Rapporteur: Gabriel BAGLO

Moderator: Hervé AKINOCHO