



July 2019

Key Information

Sector Size (2015)ⁱ

- 263 licensed PSCs
- Unknown number of PSC personnel

Can PSC personnel carry firearms?

Firearms only allowed for PSC personnel in charge of surveillance, guarding and transport of funds (personnel protecting people cannot carry firearms).

* Decree No. 96-020, art. 12-13,15,18

Montreux Document Participant: No

International Code of Conduct Association (ICoCA)

- ICoCA Member State: No
- ICoCA Company Members: 0
- ICoCA CSO Members: 0

Voluntary Principles on Security and Human Rights

- Voluntary Principles State Member: No
- Voluntary Principles Company Members: 0
- Voluntary Principles NGO Members: 0

Summary

During 2012-2013, Mali experienced the most serious crisis in its history as insurgent groups in the north led an open campaign against the ruling government. As a result of this multi-dimensional crisis of 2012-2013, Mali experienced a rise in crime and sporadic terrorist attacks. These events have plunged Mali into an unprecedented humanitarian and security crisis, and given rise to serious violations of human rights.

The lack of preparedness and capacity of the Malian Defence and Security Forces (FDS) to deal with the diversity and intensity of new threats has led to the multiplication of both national and international private security companies (PSCs) in Mali. The majority of services provided by PSCs in Mali consist of the surveillance and security of buildings, the protection of persons and property, escorting humanitarian convoys, and the transportation of cash.

In 2013, Mali began government action program (PAG) in recognition of the importance of security for the construction and consolidation of peace. One of the main measures, security sector reform (SSR), began in 2014, however, the current plan is criticized as static, obsolete, and uncoordinated. Because PSCs play a crucial role in peace-building and security, it is essential that PSCs be an integral part of the SSR undertaken by authorities going forward.

Legal Framework

The Malian legal framework solely addresses PSCs and not PMCs. PSCs operating in Mali are primarily regulated by [Law no. 96-020](#) on private companies in charge of surveillance, guarding, transport of funds and protection of persons, subsequently modified in part by [Law no. 2017-014](#). The law is supported by other instruments, notably [Decree no. 96-064](#) and Decree no. 2011-0589 covering the activities PSC are entitled to carry out and the modalities of application of the regulation of PSCs, respectively.

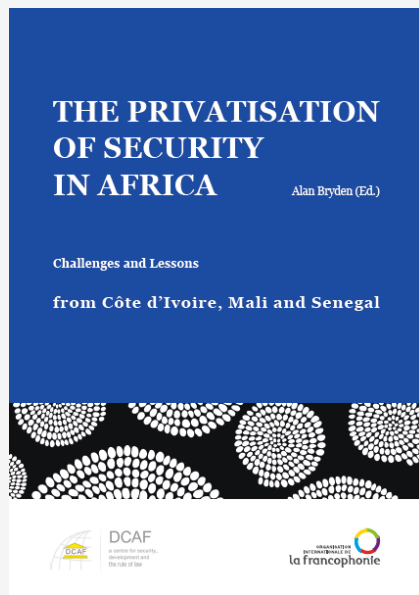
Challenges

In *The Privatisation of Security in Africa*, various challenges confronting the private security sector in Mali were identified. Three of these challenges include permitted activities and license

Members of the Private Security Governance Observatory:

- ASCOMA
- Commission Nationale des Droits de l'Homme
- Fondation pour le Développement du Sahel (FDS)
- ONG CARD

The Privatisation of Security in Africa: Challenges and Lessons from Côte d'Ivoire, Mali and Senegal



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conditions, PSC staff, and oversight.

Permitted Activities and License Conditions

One of the major challenges is directly related to the national legal framework and the rapid growth of the security sector. The law governing the activities of PSCs dates back to 1996 and it does not reflect changes in the sector, the evolving Malian security context, or updates in technology. Additionally, international norms and standards governing PSCs are generally unknown to Malian PSCs and their staff. This lack of knowledge may be behind the lack of professionalism and instances of human rights violations by some PSC employees.

PSC Staff

Inadequate, insufficient and uneven training of PSC personnel has resulted in agents with insufficient knowledge, especially regarding human rights and the use of force, which can lead to inappropriate behaviour and abuse. Since training is not subject to any oversight by the authorities, the statutory criteria are applied unevenly. It was reported that many PSC staff did not receive any training.

The proliferation of weapons and arms trafficking are another major challenge facing PSCs in Mali, who, in most cases, are not equipped with weapons. There are frequent reports of assaults on PSC agents by armed bandits.

The working conditions of PSC staff also appear to vary significantly and often do not meet required legal standards, particularly with regard to minimum wage, insurance, and working hours.

Oversight

Effective oversight is very rare or non-existent, resulting in abuse of and/or failure to comply with the stipulated standards. The inspection process is inadequate and effective inspections are almost never made. The only effective oversight appears to take place when an application for approval is under consideration. This lack of oversight and regulation of PSCs is also due to the lack of a specific national authority for the regulation and oversight of PSCs, a lack of coordination between existing structures, and a general lack of resources and personnel. As a result, various legal provisions are regularly ignored, to the point that some violations seem to be tacitly accepted by the authorities.

ⁱ Kadidia Sangaré Coulibaly, "Mali," in *The Privatisation of Security in Africa: Challenges and Lessons from Côte D'Ivoire, Mali and Senegal*, ed. Alan Bryden (Geneva: Geneva Center for the Democratic Control of Armed Forces (DCAF), 2016).