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Mali

* The present document is being issued without formal editing.



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I. Introduction

A. Background

1. The present report has been drafted amid a multidimensional institutional, security and health crisis. Indeed, the profound social, security and governance crisis that Mali has been experiencing since 2012 brought about significant institutional change in the management of State power on 18 August 2020, resulting in the establishment of a transitional period and the adoption of a road map and a charter that define the major priorities of the transition.
2. At the institutional level, the political situation has taken on a new dynamic prompted by adjustments made to the transition process in May 2021 as a result of political and institutional change. The national dialogue on the reform process of December 2021 allowed for a candid assessment of the gravity of the crisis and its challenges and the proposal of appropriate potential solutions.
3. The effects of the ongoing conflict and political instability, as well as the coronavirus disease (COVID-19) pandemic, have caused a slowdown in gross domestic product (GDP) growth, increased inequality and higher inflation.
4. Following the recovery in 2021, which saw growth of 3.1 per cent compared to -1.2 per cent in 2020, the outlook for the Malian economy is promising, despite the economic and financial sanctions imposed on the country by the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU) in 2022.
5. The present report analyses the implementation status of the recommendations and commitments made during the 2018 universal periodic review of Mali, the progress achieved and the constraints and difficulties encountered. It also provides a series of recommendations intended to support Mali in fulfilling its commitment to rebuilding the State in an environment that is more respectful of human rights and the rule of law.

B. Reporting methodology

6. Several State and non-State actors were involved in preparing the report, from the data-collection phase to the approval of the provisional report.
7. The Ministry of Justice and Human Rights organized several preparatory workshops for representatives of ministerial departments, State institutions, the National Human Rights Commission, the Ombudsman and civil society organizations.
8. The National Transitional Council, which is the legislative body, also contributed to the drafting of the report through the Commission on Constitutional Laws, Legislation, Justice, Human Rights and State Institutions.
9. The committee responsible for monitoring the preparation of the national report for the universal periodic review, established by Decree No. 2017-0800/PM-RM of 19 September 2017, prepared the final version of the report, which was submitted to the Council of Ministers for approval.
10. The Human Rights and Protection Division of the United Nations Multidimensional Integrated Stabilization Mission in Mali supported the process of preparing this national report for the fourth cycle of the universal periodic review.

II. Implementation status of previous recommendations

11. The review of the previous report resulted in 187 recommendations, which have been divided into three categories: recommendations that have been implemented, recommendations that are in the process of being implemented and pending recommendations.

A. Implemented recommendations

12. The recommendations that have been fully implemented are grouped under the 17 themes described below.

Improving cooperation with the United Nations system, treaty bodies and mandate holders

13. Ongoing cooperation with the United Nations takes place through the United Nations Multidimensional Integrated Stabilization Mission in Mali. With regard to treaty bodies and mandate holders, there were regular visits during the reporting period by the United Nations Independent Expert on the situation of human rights in Mali and members of the International Commission of Inquiry on Mali.

14. Furthermore, Mali produced its initial reports on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and of the Optional Protocol on the sale of children, child prostitution and child pornography for the period 2004 to 2020 and presented its initial report on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance in September 2022.

Aligning national legislation with human rights standards

15. National legislation has been aligned with human rights standards through:

- the adoption of Act No. 2018-027 of 12 June 2018 on the rights of persons living with a disability
- the revision of the Criminal Code and the Code of Criminal Procedure to provide for, inter alia: increases to statutes of limitations; the strengthening of the role of the public prosecution service; clarification of the rules surrounding police custody; improved regulation of the conditions for filing complaints with civil claims; a mechanism to grant urgent relief from administrative penalties and thus prevent unjustified detentions; the formal introduction of special investigation techniques; second hearings in criminal cases and the creation of permanent criminal chambers within the tribunaux de grande instance (courts of major jurisdiction), with the abolition of the assizes courts
- the revision of the Code of Military Justice to bring it into line with universal principles and standards, for instance by introducing second hearings and allowing foreign lawyers to plead before the military courts
- the extension of the competences of the specialized judicial unit to combat terrorism and transnational organized crime to include war crimes, crimes against humanity and genocide
- the adoption of Act No. 2022-034 of 28 July 2022 establishing a system to protect and promote the country's cultural heritage
- the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa

Strengthening the capacities of the national human rights institution

16. The capacities of the National Human Rights Commission have been strengthened through:

- a gradual increase to the budget allocated to it by the State, thus enabling it to undertake its activities and open regional offices in Kayes, Sikasso, Ségou, Mopti and Gao
- the provision by the State of 11 vehicles for commissioners and staff
- its designation as the national mechanism for the protection of human rights defenders, thus strengthening its mandate

- the release of Circulars No. 0499/MJDH-SG of 7 August 2019 and No. 0774/MSPC-SG-OC-SMD of 7 March 2018 on cooperation between the Commission and police and gendarmerie units, which require those units to respect fully the Commission's legal mandate in its work to protect fundamental rights and prevent torture
- the granting of A status to the Commission by the Global Alliance of National Human Rights Institutions on 30 March 2022, the highest status attributed to national human rights institutions by the Office of the United Nations High Commissioner for Human Rights

Capacity-building for actors in the field of human rights

17. With the support of its technical and financial partners, the Government has strengthened the capacities of State and non-State actors by means of:

- the Council of Ministers' adoption of draft texts on the creation, organization, operation and organizational structure of the National Directorate for Human Rights on 1 February 2023
- training and awareness-raising sessions and two manuals, one on human rights in prisons and the other on international humanitarian law
- the creation of a master's degree in human rights and the culture of peace, and another in gender and development
- the integration of human rights into university curricula

Combating torture and other cruel and degrading treatment

18. The Government has combated torture and other cruel, inhuman or degrading treatment by:

- establishing a national torture prevention mechanism through the National Human Rights Commission
- providing continuous training to criminal investigation officers, prison officers and supervised education officers

19. Additionally, the Minister of Justice and Human Rights has instructed the chief public prosecutors and public prosecutors to prosecute, investigate and bring to trial all alleged perpetrators, co-perpetrators and accomplices in cases of descent-based slavery in Mali, primarily under the jurisdiction of Kayes Court of Appeal, through Circulars No. 0000863/MJDH-SG of 11 November 2021 and No. 0857/MJDH-SG of 17 December 2019.

Combating terrorism and transnational organized crime

20. As part of its efforts to combat terrorism and transnational organized crime, the Government issued Decree No. 2018-0197 of 26 February 2018 approving a national policy to prevent and combat violent extremism and terrorism and a related action plan for 2018–2020. The policy aims, among other things, to ensure the public authorities' presence and effectiveness in the regions, protect and assist populations in vulnerable areas, guarantee the free movement of persons and goods and combat the proliferation of light weapons, illicit drug trafficking and organized crime.

21. The Government has devised and implemented the Integrated Security Plan for the Central Regions, which comprises four components – security, governance, socioeconomic development and communication – to mobilize civil society to bring about a culture of peace.

22. The implementation of the Plan has allowed for the pooling of efforts by actors in this field, including the Ministry of Justice and Human Rights, the Ministry of Local Administration, the Minister of Security and Civil Defence and the Ministry of National Reconciliation, as well as traditional authorities and civil society organizations.

Combating violations of human rights and international humanitarian law committed by security forces

23. The Government's action to combat violations of human rights and international humanitarian law committed by defence and security forces includes:

- the operationalization of military courts
- the recruitment of military judges
- training for defence forces on human rights and international humanitarian law
- the prosecution and trial of a number of defence and security officials
- a review of the Code of Military Justice to adapt it to the legal environment
- the creation and operationalization of military criminal investigation units
- continuous awareness-raising among the Malian armed forces on respect for human rights and international humanitarian law
- the establishment of a mechanism to ensure that allegations of abuse by the armed forces during operations are systematically investigated
- the appointment of legal counsel to the Chiefs of Defence Staff, unit commanders and operational commanders
- the development of a Code of Conduct for the Military
- the mapping of abuse allegedly committed by the armed forces from 2018 to the present

Promoting transitional justice and combating impunity

24. The Government has made significant efforts to establish transitional justice through the adoption of a national policy and related action plan and measures to combat impunity, with the aim of bringing about national reconciliation and peace. Its actions in this regard include:

- the collection by the Truth, Justice and Reconciliation Commission of statements from more than 30,000 victims and witnesses of serious human rights violations
- the holding of five public hearings organized by the Commission and broadcast live on national television
- the drafting of a final report on the serious human rights violations committed from 1960 to 2020
- the adoption of a national reparations policy and related action plan for 2021–2025 through Decree No. 2021-0591 of 10 September 2021
- the adoption of Act No. 2022-041 of 15 November 2022 establishing general regulations for granting reparations for damages caused by serious human rights violations, and of Decree No. 2022-0730 of 23 November 2022 on that Act's application
- the drafting of bills and implementing decrees on the creation of a national agency to manage reparations and a centre to promote unity and peace
- the restoration of damaged cultural heritage
- the holding of the Forum for Democratic Discussion on 10 December each year
- the prosecution of alleged perpetrators of human rights violations and war crimes before the International Criminal Court
- the extradition of perpetrators of crimes against humanity to the International Criminal Court

Security sector reform

25. The reforms to the security sector, which have two initial phases – the disarmament, demobilization and reintegration phase and the integration phase – aim to set Mali firmly on the path to lasting peace. The reforms must therefore facilitate the restructuring of institutions, material rearmament, ethical renewal and the reconstruction and redeployment of the Malian defence and security forces so that they may preserve the State's territorial integrity and support the restoration of its authority. Additionally, the National Security Sector Reform Strategy and its Action Plan 2022–2024 were adopted to implement the reforms. The National Council for Security Sector Reform was created as a strategic guidance body chaired by the President of the Republic of Mali. The Council is assisted by a technical coordination unit and ministerial committees, all of which are supported in their activities by the Security Sector Reform and Disarmament, Demobilization and Reintegration Section of the United Nations Multidimensional Integrated Stabilization Mission in Mali.

26. Significant action has been undertaken as part of the security sector reforms, including:

- the implementation of the Security Sector Reform Strategy and its Action Plan
- the disarmament, demobilization and reintegration of combatants
- the redeployment of combatants

Improving detention conditions

27. Infrastructure has been improved greatly thanks to the construction, refurbishment and renovation of remand prisons to create spacious, well-ventilated cells with internal toilets.

28. With regard to food, three meals are served each day in almost all prisons and supervised education facilities. It should also be noted that there has been a clear increase in the prison food budget from 900,000 million to 1,600,000 CFA francs (CFAF).

29. In the area of health, equipped medical clinics have been opened in some remand prisons through a project organized under the Global Focal Point for the Rule of Law. Additionally, pharmaceutical products have been provided, prisoners have been registered with the Medical Assistance System, and the means of delivering health care to the prison population through public hospitals are set out in Interministerial Order No. 2020-3253/MSDS-MJDH of 31 December 2020.

30. In terms of the treatment of prisoners, restraint is used only when transferring them or removing them from their cells. Torture and other ill-treatment is strictly prohibited, and perpetrators are now subject to sanctions.

31. Lastly, training activities have been undertaken to build capacities to detect the signs of radicalization and thus prevent violent extremism and radicalization in prisons, and a prison intelligence system has been established.

Protecting migrants

32. In 2014, Mali adopted a National Migration Policy and Action Plan for 2015–2019, which was followed by an Action Plan for 2020–2024. The Policy's implementation is supported by the International Organization for Migration, and it aims, inter alia, to provide protection and security to migrants and members of their families, improve reintegration processes for returning migrants, develop migrants' human, economic and financial capital and strengthen the capacities of civil society and migrants' organizations.

33. The steps taken to implement the Action Plan include:

- assisting 7,373 Malian migrants between 1 January and 31 December 2022 through repatriation operations in conjunction with the International Organization for Migration
- assisting more than 10,000 migrants in reintegrating into their communities of origin through integration projects supported by international partners

- organizing a regional conference in Gao on the implementation of the Global Compact for Safe, Orderly and Regular Migration and a forum on productive investment and mobilizing the skills of the diaspora
- providing support for 30 community projects run by the diaspora as part of a project to support diaspora initiatives in places of origin, with the support of the European Union
- constructing 14 centres to assist migrating Malian nationals
- assisting Malian nationals in distress in Ukraine
- launching a process to create a national agency for transferring the diaspora's skills and work to establish a migrant reception, assistance and guidance centre in Gao
- holding an event to mark International Migrants Day in Koulikoro, which was well attended by Government representatives, partners and local actors in migration governance

Protecting persons with disabilities

34. Protection for persons with disabilities has been strengthened through:

- Act No. 2018-027 of 12 June 2018 on the rights of persons living with a disability and Decree No. 2021-0662 of 23 September 2021 on the Act's application
- a 15 per cent quota for persons with disabilities in civil service positions, allowing 104 persons with disabilities to be recruited in 2021 during the last round of competitive examinations for entry into the civil service
- the inclusion of ramps for persons with reduced mobility in the standard construction plan for health facilities
- the prioritization of care for persons with disabilities
- free care for persons with disabilities under the Medical Assistance System

Protecting human rights defenders

35. Act No. 2018-003 of 12 January 2018 on human rights defenders guarantees protection for them. Decree No. 0020-087/PRM of 18 February 2020 on the application of the Act was adopted to strengthen the legal and institutional framework for the protection of human rights defenders by affording them the guarantees necessary in the undertaking of their activities.

Refugees and internally displaced persons

36. The return of refugees and internally displaced persons is facilitated by:

- State-run structures, associations and non-governmental organizations that work with those groups
- the National Steering Committee for Sites Hosting Internally Displaced Persons and four Regional Steering Committees in Gao, Mopti, Ségou and Bamako
- support for refugees provided in partnership with the Office of the United Nations High Commissioner for Refugees

37. Humanitarian support is provided to internally displaced persons in the form of:

- temporary shelter in reception sites equipped with tents, supplies of drinking water and latrines
- access to emergency health care
- the distribution of provisions and dignity kits
- spaces for children's education
- awareness-raising campaigns on gender-based violence

Prohibiting the use of children in armed conflict

38. The Government has taken steps to prohibit the use of children in armed conflict. Action in that area includes:

- capacity-building for the armed forces, judicial officials, immigration officials and media professionals on the issue of children associated with armed forces and groups
- work by civil society actors to develop a legal framework applicable to the recruitment and use of children in hostilities by parties to the armed conflict in Mali
- efforts by civil society actors to remove children recruited to armed groups and support their reintegration into society
- advocacy for the review and adoption of the bill on child protection, which classifies the recruitment and use of children aged under 15 years in conflict, among other acts, as a war crime
- a commitment by the Groupe d'autodéfense des Touaregs Imghad et leurs alliés (Imghad Tuareg Self-Defence Group and Allies) to respect all national and international child protection standards, refrain from recruiting child combatants and address the phenomenon of child soldiers

Vocational training and socioeconomic integration for young persons

39. The Government has strengthened vocational training for young persons through the National Employment Agency, the National Youth Employment Agency and the Vocational Training and Apprenticeship Fund. Additionally, vocational centres have been created to facilitate young persons' socioeconomic integration.

Women's access to decision-making positions

40. The Government has taken significant steps to enhance women's participation in political life.

41. Article 17 of the amended Transitional Charter provides that women's access to elected and appointed office may be promoted through specific measures enshrined in law, thus allowing gender to be considered in the composition of the various transitional bodies. In that connection, under Decree No. 2022-0427/PT-RM of 21 July 2022 on the allocation and designation of the additional members of the National Transitional Council, two of the Council's members must be representatives of women's groups.

42. Furthermore, information and awareness-raising activities have been organized to improve the implementation of Act No. 2015-052 of 18 December 2015 establishing measures to promote gender equality in access to elected and appointed office and Decree No. 2016-0909 of 6 December 2016 determining the elected and appointed posts to which the Act applies. This legislation sets a minimum quota of 30 per cent for both sexes among persons appointed to the civil service and elected as Deputies in the National Assembly, members of the High Council of Local Authorities and councillors in local authorities.

43. The implementation of that legislation has led to the appointment of 12 women to the committee responsible for monitoring the Agreement on Peace and Reconciliation in Mali and 12 more to the other mechanisms that monitor the Agreement.

44. Lastly, the recently adopted Act No. 2022-019 of 24 June 2022 (the Electoral Act) promotes the election of women to the National Assembly and local councils.

B. Recommendations being implemented

45. The recommendations that are being implemented are grouped under the 17 themes described below.

Combating trafficking in persons

46. The Government has begun the process of adopting new legislation on trafficking in persons that builds on Act No. 2012-023 of 12 July 2012 on combating trafficking in persons and related practices. The new law will represent a remarkable step forward, with the draft text suggesting that it will comply with the international legal instruments ratified by Mali, including the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

47. The preliminary bill on the Code of Criminal Procedure provides for the creation of criminal chambers within the tribunaux de grande instance (courts of major jurisdiction), whose jurisdiction will be extended to include offences of trafficking in persons, slavery and other similar practices, without waiting for an assize court to be established.

48. The National Coordinating Committee on Trafficking in Persons and Related Practices has continued its work with all actors involved in the field.

49. The activities under the National Plan to Combat Human Trafficking and Related Practices, implemented from 2018 to 2022, focused on preventing trafficking in persons, bringing criminal prosecutions against the perpetrators, protecting and assisting victims and promoting coordination and cooperation in efforts to combat the practice.

Decriminalizing press offences

50. Under Act No. 00-046 of 7 July 2000 on the status of the press and press offences, offences committed through the press or any other means of publication are punishable by imprisonment and fines. A review of the legislation governing the media in Mali began in November 2021 and led to a preliminary bill intended to decriminalize press offences. If the bill becomes law, the offences concerned will be punishable only by fines, which have been increased, with the exception of offences against State security, authority and the public interest.

51. Consultations with the press and other sociopolitical actors are ongoing with a view to adopting the bill.

Mining sector reform

52. Production in the mining sector has been declining since 2019, and there have been disturbances that have caused stoppages, for example at the Morila and Somisy mines.

53. In an effort to address these challenges, the Government is pursuing mining sector reform to diversify mining production and integrate it into the economy. It issued Order No. 2022-016/PT-RM of 8 September 2022 on the creation of the Malian Mineral Research and Mining Company, a fully State-owned company that will research, mine, process and market mineral substances, within defined limits. It will also raise funds and will be entitled to mining rights, in addition to generating revenue for the State and creating a significant number of jobs. A new Mining Code was established through Order No. 2019-022/P-RM of 27 September 2019.

54. Other efforts to clean up the mining sector include the digitization of the mining registry to enable the relevant actors to make forecasts concerning the sector.

Land and property reform

55. The Government has continued its reforms, including by establishing a modern, effective and secure archiving system for both physical and digital records and digitizing ownership records.

56. The Bamako and Kati land registries have transitioned to paperless archives by digitizing new land titles and transactions involving existing titles. By 31 December 2021, a total of 274,360 land titles were digitized, checked and indexed in the digital documentation database.

57. Decree No. 2019-0112/P-RM of 22 February 2019 sets out the means of identifying plots of land in Mali. All plots of land, whether developed or not, must have a unique land register number assigned by the land registry.

58. Equitable access to agricultural land is guaranteed by law. The State and local authorities ensure equitable access to agricultural land for all farmers and commercial agricultural developers. At least 15 per cent of State and local authority developments are allocated to local groups and associations of women and young persons.

Promoting economic, social and cultural rights

59. Mali ratified the International Covenant on Economic, Social and Cultural Rights on 16 July 1974. On 8 February 2018, it submitted its initial report on the implementation of the Covenant, which it presented at the sixty-fourth session of the Committee on Economic, Social and Cultural Rights.

60. Despite the overall situation in the country, which is dogged by weak development and urgent defence and security problems, work is under way to prepare the second report.

Right to education

61. On 12 March 2019, the Government adopted the Ten-Year Education Development Programme 2019–2028 which aims to guarantee the right to quality education and training through an inclusive system that is better adapted, coherent and functional. This global objective is broken down by level of education.

62. The main strategic areas of the Programme are:

- improving the internal and external efficiency of the education system
- improving teacher training and management
- promoting equitable and inclusive access to quality basic education for all
- strengthening governance in the sector
- strengthening resilience in the sector

63. The adoption of the National Policy on Teachers on 24 March 2021 should help address the challenges linked to the need to boost the teaching profession and the closure of schools, particularly in central and northern regions, owing to a lack of teachers.

64. There has been an increase in access to the first cycle of basic education in terms of the gross enrolment ratio, which rose from 76 per cent in 2018 to 79 per cent in 2021. The ratio among girls rose from 70 per cent to 76 per cent over the same period. Similarly, there was an increase in the gross enrolment ratio at the secondary level between 2018 and 2021, from 26.2 per cent to 29.6 per cent, despite a fall to 22.6 per cent in 2019. There has, however, been a decline in the net enrolment ratio in the first cycle of basic education, from 57.5 per cent in 2018 to 54.7 per cent in 2021.

65. Many areas were affected by the 2021 security crisis, with the consequent closure of 1,632 out of 8,585 schools, or 19 per cent, depriving thousands of children of their right to education. Thus, of a total of 14,632 schools, 1,632 were closed as of 31 December 2021, affecting approximately 489,600 children and 9,792 teachers. The Kayes region saw the highest number of school closures caused by insecurity in 2021.

Right to health

66. The State continues to provide special assistance to persons living with HIV and AIDS through awareness-raising, screening and the distribution of free antiretroviral drugs to persons living with AIDS. These measures have kept the HIV prevalence rate at 1.1 per cent among the general population aged 15–49 years according to the 2013 Mali Demographic and Health Survey. More generally, the implementation of the Health and Social Development Programme 2020–2023 continues through the development of geographically accessible quality health-care services, the establishment of a funding mechanism for health-care demands and State support for populations that require it. The forthcoming introduction

of a universal health insurance scheme will mark an important development in the national health and social protection system a little over a decade after the implementation of the compulsory health insurance scheme and the Medical Assistance System. Significant results have been achieved in terms of medical care for persons living in hardship, 2,882,331 of whom have registered with the Medical Assistance System.

Rights of the child

67. Mali ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 16 May 2002.

68. The country's initial report under the Protocol was approved by the Interministerial Support Committee for the preparation of initial and periodic reports on the implementation of treaties ratified by Mali at its plenary session in Koulouba from 6 to 8 July 2021.

69. The other Optional Protocol to that Convention has not yet been ratified by the country, which, despite its difficult situation, is nevertheless redoubling its efforts to guarantee the rights of children enshrined in the Convention.

Combating all forms of discrimination and violence against women

70. The Government has strengthened its efforts to combat all forms of discrimination and violence against women, for example by:

- working to develop a bill on the prevention and suppression of gender-based violence and the provision of care for victims
- establishing gender focal points in all courts
- establishing holistic support centres for victims of gender-based violence
- working to develop preliminary bills on a criminal code and on a code of criminal procedure
- organizing a national workshop from 2 to 4 August 2022 to consider the management of gender-based violence cases and the provision of free legal assistance in such cases, in cooperation with the Ministry of Justice

71. The draft criminal code addresses offences of violence against women, including female circumcision, femicide, gender-based assault and battery, and sexual harassment. Criminal sanctions are set out for most of these offences, and the adoption of the bill will therefore afford women and girls maximum protection against violence.

Combating sexual violence and female genital mutilation

72. The Government has focused its efforts on the following measures:

- the adoption of the National Policy on Gender
- the implementation of the National Programme to Combat Gender-Based Violence
- the implementation of the Ten-Year Development Plan for the Empowerment of Women, Children and Families 2020–2029, which aims to contribute to the development of Mali up to 2030 by empowering women, children and families, based on equal opportunities and rights, to build quality human capital capable of participating effectively in wealth creation and in the country's social, economic and political governance
- the adoption of gender-sensitive budgeting, allowing the needs and interests of women and men to be considered in development policies and programmes through the adoption of a gender approach at all stages of the budgeting process
- the implementation of the Ten-Year Health and Social Development Plan 2014–2023, which provides guidance on health, social development and the promotion of women, children and families to achieve common outcomes
- the setting up of a free hotline to refer cases of gender-based violence to the appropriate support services

Combating child labour

73. The following action has been taken to combat child labour:
- at the public policy level, the adoption of a new road map for eliminating child labour in agriculture, the updating of the list of dangerous work prohibited for children under 18 years, the development of a list of light work permitted for children aged 12 to 15 years, the development of a new National Plan of Action for the Elimination of Child Labour 2023–2027 and the completion of a study on child labour in Mali by the National Institute of Statistics to support its Ongoing Modular Household Survey
 - at the institutional level, the creation of a National Unit to Combat Child Labour, the designation of child labour focal points in some ministerial departments, the establishment of the Child Labour Observation and Monitoring System and the creation of mobile teams that work to combat child labour
74. Other important achievements include:
- the removal of 2,000 girls and boys from the worst forms of child labour between 2018 and 2022
 - the reintegration of more than 1,200 girls and boys into school or the workforce
 - the organization of 86 training, awareness-raising and information sessions on the concept of child labour and actions to eliminate it, aimed at actors in the field, communities, journalists and children
 - the implementation of the Informal Education Programme and the Poverty Alleviation Programme to Combat the Rural Exodus of Children

Prohibiting early and forced marriage

75. The action taken by the Government to prohibit early and forced marriage includes:
- the adoption in 2022 of a national multisectoral strategy to end child marriage that brings together political and administrative decision-makers to strengthen measures to protect girls from marriage before the age of 18 years
 - the scaling up of information and awareness-raising campaigns to combat child marriage

Gender equality and women's empowerment

76. The Government has made significant effort to promote gender equality and women's empowerment.
77. Its action includes:
- the creation, through Decision No. 2021-035/MPFEF-SG of 27 July 2021, of a national framework for consultation on gender that comprises representatives of the public administration, the private sector, civil society organizations and technical and financial partners
 - the signing of the National Plan of Action 2019–2023 on United Nations Security Council Resolution 1325 (2000) on women and peace and security
 - the production, in 2021, of a statistical yearbook on the promotion of gender in appointed and elected positions in public services of the State and local authorities

Sustainable human development

78. Despite the adoption of the Strategic Framework for Economic Recovery and Sustainable Development 2019–2023, the macroeconomic framework continues to suffer the negative effects of the COVID-19 pandemic and the security, political, social, humanitarian, institutional and economic crises that hinder the Framework's objectives.

79. The poverty rate remains high in 2021, at 44.6 per cent, despite the slight decline from 42.3 per cent in 2019 to 41.9 per cent in 2019. There are also significant disparities between rural and urban areas and between regions, in addition to gender inequalities.

Free, reliable and transparent elections

80. Following several years of postponements, the legislative elections planned for 28 October and 18 November 2018 were finally held on 29 March and 19 April 2020. Unfortunately, challenges to the results led to the coup d'état of 19 August 2020, resulting in the overthrowing of the elected President, the dissolution of the National Assembly and, ultimately, the process of political transition.

81. A new electoral law, Act No. 2022-019 of 24 June 2022, was adopted, and the members of the Independent Electoral Authority were appointed by Decree No. 2022-0609 of 12 October 2022 and installed on 10 January 2023 by the Transitional President.

82. A 24-month timetable for elections, including a referendum and elections of local government councillors, deputies and the President, has been drawn up for February 2023 to February 2024 to assist the country in organizing free and transparent elections.

Restoring peace and national reconciliation

83. Significant progress has been made in implementing the Agreement on Peace and Reconciliation in Mali, as illustrated by:

- the designation and installation of interim authorities at the regional, *cercle* and commune levels in the five northern regions between 2017 and 2021
- the construction of 8 of the 24 identified cantonment sites
- the pre-registration of 74,000 combatants and their weapons by the National Commission for Disarmament, Demobilization and Reintegration between 2018 and 2020 as part of the overall disarmament, demobilization and reintegration process
- the acceleration of the process of disarming, demobilizing, reintegrating and integrating 1,840 members of the Operational Coordination Mechanism that was adopted in 2016, launched in 2018 and concluded in April 2021, with the integration of almost 1,750 former combatants
- the creation and redeployment of the first reconstituted units between February 2020 and June 2021
- the creation in October 2019 of a joint commission of the Government and its technical and financial partners to monitor the implementation of the Agreement
- the adoption of Act No. 2019-042 of 24 July 2019 (the Act on National Understanding), which allows former combatants to benefit from the integration and reintegration mechanisms provided for in the 2015 Agreement
- the establishment of local advisory committees on security
- the organization of awareness-raising activities to prevent community violence
- the adoption of an active national reconciliation policy with two main objectives, namely to rebuild the foundations of national reconciliation and to provide a definitive solution to the problems in the northern areas

84. The International Commission of Inquiry on Mali was established in accordance with the Agreement. It conducted inquiries in the northern and central regions of the country and issued its final report in June 2020.

Re-establishment of State authority

85. The Government has stepped up efforts to re-establish its authority in all regions of the country, particularly the northern and central areas, by maintaining State services, establishing a security plan for the northern and central regions and ensuring that the defence and security forces cover all parts of the country.

86. The transitional authorities have adopted a comprehensive political strategy for the stabilization of the central areas of the country. During 2022, 4 of 8 prefects (50 per cent) and 7 of 55 sub-prefects (13 per cent) were deployed in the Mopti region. In addition, 6 of 7 prefects (86 per cent) and 11 of 39 sub-prefects (29 per cent) were present in the Ségou region.

87. The reporting period was also characterized by an intensification of offensive operations by the Malian Armed Forces, followed by the voluntary return of internally displaced persons.

C. Pending recommendations

88. The recommendations that are awaiting implementation are grouped under the following themes.

Prohibition of the death penalty

89. Since 1980, there has been a moratorium on the use of the death penalty in Mali. However, under the Criminal Code in force, the Malian justice system continues to hand down death sentences. Such sentences are not carried out and are commuted to hard labour for life.

90. Every two years since 2007, a resolution calling for a moratorium on the use of the death penalty has been submitted to the States Members of the United Nations for voting during the annual session of the General Assembly. The most recent vote took place in 2022 during the seventy-seventh session of the Third Committee (Social, Humanitarian and Cultural Committee). In line with its stance, Mali has always voted in favour of the resolution.

91. With regard to the abolition of the death penalty in connection with the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, the matter is being considered in the light of the sociopolitical and cultural realities of the country

Revision of the Persons and Family Code

92. The Persons and Family Code does not make any distinction based on sex in matters of inheritance. The relevant provision is set out in article 773 of the Code: “Children or their descendants inherit from their father and mother or other ascendants, without distinction on the basis of sex or primogeniture and irrespective of whether they share one or both parents.” The Code also makes provision for inheritance through wills. In the absence of a will, heirs can opt for a legal division by mutual agreement. Only in the absence of such an agreement are the customs of the deceased applied.

93. The draft revised Criminal Code provides for almost any offence that may arise as a result of traditional practices.

94. The formulation remains in the Constitution of 25 February 1992, which states that treaties and conventions that have been duly ratified are part of the legal system and have a higher status than national legislation. The constitutional provisions mean that it is possible to apply the international treaties and agreements ratified by Mali in the area of the protection of women’s and children’s rights.

Cooperation with special procedure mandate holders

95. The Government of Mali remains open to visits from special procedure mandate holders.

96. To date, no visits by mandate holders have been refused. The Independent Expert on the situation of human rights in Mali conducts his work according to his mandate. Arrangements will be made as needed to invite mandate holders to visit Mali.

Prohibition of traditional practices that are harmful to children

97. The Government is making efforts to end harmful traditional practices such as child and forced marriage, humiliating and degrading practices and force-feeding.

98. Polygamy is not a harmful traditional practice. It is provided for in the Persons and Family Code. Spouses are free to choose between monogamy and polygamy.

99. Currently, it is not feasible to prohibit polygamy from a legal, sociocultural or religious point of view.

III. Challenges, achievements and difficulties

A. Challenges in the implementation of the recommendations

100. The implementation of the recommendations was characterized by multiple persistent challenges in the form of terrorism and transnational organized crime.

101. At the political level, a transition process has been put in place with a timetable for the organization of elections to re-establish constitutional order.

102. Fractured relations between communities that have always lived in peace and harmony have contributed to a deterioration in the social fabric.

103. Lastly, the period was marked by the COVID-19 pandemic, which impacted all aspects of political, economic and social life.

B. Achievements in the implementation of the recommendations

104. Despite the unfavourable context, significant progress has been made in implementing the recommendations, particularly in the areas of political and institutional reforms, restoring peace and strengthening national reconciliation, access to justice and combating impunity, and empowerment of women.

Political and institutional reforms

105. Political instability and dissatisfaction demonstrate the extent of the multidimensional crisis that Mali has experienced and the need for in-depth reforms. Mali is in the process of rebuilding the State. In this context, the National Rebuilding Conference was held from 11 November to 2 December 2021, at the end of which 517 recommendations were formulated by social and political bodies in line with the strong desire of the majority of the population to build a new Mali. In order to implement the recommendations, the Government has adopted a strategic framework for the rebuilding of the State, with action plans for the period 2022–2031.

106. The political and institutional reforms that have been achieved include the adoption of Act No. 2022-019 of 24 June 2022 on the Electoral Code, the establishment of the Independent Authority for Electoral Management, the drafting of a new constitution and the adoption of new legislation designed to reorganize the country's administrative divisions.

Restoring peace and strengthening national reconciliation

107. The Agreement on Peace and Reconciliation in Mali emanating from the Algiers process in 2015 has continued to be implemented despite the sociopolitical context in the country. Despite the difficulties, progress has been made, including in the deployment of the reorganized armed forces and the financing of 10 projects through the Sustainable Development Fund in the amount of CFAF 38,450 billion, as well as the adoption of a national reparation policy for victims of the crises that have occurred in Mali since 1960 and the related action plan for 2021–2025, which will be funded with an estimated CFAF 65,467 billion pursuant to Decree No. 2021-0591/PT-RM of 10 September 2021.

Access to justice and combating impunity

108. Access to justice has improved significantly thanks to the progress made with regard to the infrastructure provided for in the plans for the reorganization of the judiciary. Construction work at courts and prisons, including Toukoto District Court and Bamako Administrative Court of Appeal, has been completed.

109. The construction and fitting out of the new Bamako Central Prison in Kénioraba was completed, as were the renovation works at the prisons in Kimparana, Markala, Diéma and Banamba. Pursuant to the Act on the guidelines and policy for the justice sector (LOPJ-2020-2024), 100 legal trainees have been recruited to address the lack of judges in the courts of first instance.

110. In addition, satisfactory progress has been made in the area of access to justice through a number of initiatives including the posting of court fees in courts, the provision of legal and judicial assistance, the organization of training and awareness-raising sessions for the general public regarding the return of judicial services to conflict-affected areas, the establishment of a framework for consultation among the actors in the criminal justice system, and the relocation of hearings from areas affected by insecurity. The deployment of justice officials has taken place alongside technical capacity-strengthening for 115 judicial staff and 397 administrative staff working in the prisons and correctional education systems.

111. In addition, the proportion of the prison population awaiting trial improved slightly, from 69.13 per cent to 67.62 per cent. This was achieved through the introduction of accelerated procedures to relieve overcrowding and prevent the spread of COVID-19 in prisons.

112. Within the framework of transitional justice, five public hearings were organized by the Truth, Justice and Reconciliation Commission on the following themes: violations of rights and freedoms; violations of the right to life and physical integrity; enforced disappearances; and serious violations of children's rights. As of 31 December 2022, the Commission had taken more than 30,000 statements from victims and witnesses of violations that occurred during the various crises.

113. Lastly, as part of efforts to combat impunity, the Government has taken measures to prevent violations of human rights and international humanitarian law committed by the defence and security forces, including the establishment of the military court, the recruitment of military judges, training in human rights and international humanitarian law for the defence forces, the prosecution and trial of defence and security forces, the review of the Code of Military Justice to adapt it to the legal environment, the introduction of military criminal investigation units and the establishment of a mechanism whereby investigations are launched automatically.

Empowerment of women and gender equality

114. Women's participation in leadership positions and in economic, political and public life has improved. The proportion of women in parliament is close to the minimum threshold of 30 per cent set out in Act No. 052 on gender. The proportion was 28.57 per cent in 2020, compared to only 9.52 per cent in 2013. In the context of promoting gender equality in elected office, the available data show that 19.3 per cent of elected officials are women.

115. The Support Fund for Women's Empowerment and Child Development and the Women's Empowerment Project have helped to expand support services and development opportunities for women's entrepreneurship and to strengthen women's leadership and political participation.

116. In the area of learning and economic empowerment of girls and women, significant progress has been recorded in 2021: 2,791 girls and women aged between 15 and 24 years received training and began working, generating CFAF 2,059,468,895 in sales, creating 7,232 jobs and directly benefiting 34,784 households.

C. Difficulties encountered in the implementation of the recommendations

117. The security situation in the country remained a concern, particularly in the northern and central regions. Several locations have been affected by attacks perpetrated by armed terrorist groups, prompting the State and its partners to take urgent measures to counter threats and provide assistance to victims.

118. Following the joint summit held between WAEMU and ECOWAS in Accra, Ghana, on 9 January 2022, illegal, unlawful and inhumane sanctions were imposed on Mali, including the closure of borders between Mali and States members of ECOWAS, the freezing of assets belonging to Mali held at the Central Bank of West African States, the suspension of commercial transactions, the suspension of financial aid and the recall of ambassadors.

119. The other major difficulties encountered in the implementation of the recommendations are the political, institutional and social instability related to the political crisis, the public health crisis related to the COVID-19 pandemic, the insufficient capacity of ministerial departments to plan and monitor the implementation of the recommendations, and the interdependence of certain recommendations.

IV. Conclusions and recommendations

120. Rebuilding the State is at the heart of the Government's priorities. The creation of a Ministry of State Rebuilding perfectly illustrates the will of the Malian authorities.

A. Measures to address persistent challenges

121. The Government of Mali has adopted public policies to deal with persistent challenges.

122. In the short term, the Transitional Government's action plan provides for specific actions grouped into four areas: (i) strengthening security throughout the national territory; (ii) political and institutional reforms; (iii) the organization of general elections; and (iv) the promotion of good governance and the adoption of an agreement on social stability and growth.

123. In the medium and long term, the Strategic Framework for Rebuilding the State, which will be implemented over 10 years, sets out five strategic areas of convergence with the Strategic Framework for Economic Recovery and Sustainable Development: (i) governance and political and institutional reforms; (ii) defence, security, peace, reconciliation and social cohesion; (iii) economic growth and sustainable development; (iv) human capital, gender and social inclusion; and (v) youth, sport, culture, handicrafts, tourism and good citizenship.

124. These two reference framework documents for government action are supplemented by sectoral policies.

B. Challenges requiring support from the international community

125. Potential difficulties related to the implementation of the recommendations that may require support from the international community include:

- the lack of adequate financial resources;
- insufficient capacity of State entities;
- and the strengthening of cooperation with treaty bodies and special procedure mandate holders.

C. Recommendations to be examined by Mali

126. The Government of Mali has set priorities that take into account certain recommendations that it will need to examine. They can be grouped into five categories, namely:

- political and institutional reform;
 - the organization of general elections;
 - access to justice and combating impunity;
 - rebuilding social peace and ensuring a harmonious society;
 - and the empowerment of women and young persons.
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