



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined third to fifth periodic reports submitted by Mali under article 44 of the Convention, due in 2012*

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Introduction

1. The ratification by Mali of the United Nations Convention on the Rights of the Child on 20 September 1990 signalled the country's determination to make the promotion of children a priority in its development. This was reaffirmed with the adoption in 1992 of the Plan of Action for the Survival, Development and Protection of Children and the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict. The national legislation has also been improved with new laws, such as the Act on criminal responsibility of minors and the establishment of juvenile courts, which incorporates the guiding principles for the administration of juvenile justice. At the institutional level, a number of actions have been taken. These have involved the adoption of policies and programmes for the creation and/or strengthening of public structures for the promotion and protection of children.

2. Mali submitted its second report to the Committee on the Rights of the Child, in accordance with article 44¹ of the Convention. That report was considered by the Committee at its 1206th and 1207th meetings (see [CRC/C/SR.1206](#) and [CRC/C/SR.1207](#)) on 18 January 2007. At the end of that review, the Committee adopted its concluding observations at its 1228th meeting, held on 2 February 2007. Concerns were raised and were the subject of recommendations. To give effect to these observations, the Government of Mali, through the Ministry for the Advancement of Women, Children and the Family, drew up an action plan in April 2008.

3. One of the recommendations of the Committee on the Rights of the Child related to the submission of the country's next reports: "The Committee invites the State party to submit a consolidated third, fourth and fifth report by 19 October 2012, due date of the fifth periodic report". However, events in Mali since March 2012 have led to a malfunctioning of the administrative apparatus and the suspension of cooperation agreements. In those circumstances, it was not possible to undertake such a task.

4. As the situation became normalized, the Government of Mali undertook the preparation of the country's consolidated third, fourth and fifth reports on the implementation of the United Nations Convention on the Rights of the Child.

5. This document consists of two parts, addressing:

- the implementation of the Convention on the Rights of the Child
- the follow-up to the concluding observations of the Committee on the Rights of the Child

Part I. Implementation of the Convention on the Rights of the Child

6. In accordance with the guidelines adopted by the Committee on the Rights of the Child at its thirty-ninth session on 3 June 2005, this section will cover the following areas:

- (a) General measures of implementation;
- (b) Definition of the child;
- (c) General principles;
- (d) Civil rights and freedoms;
- (e) Family environment and alternative care;
- (f) Basic health and welfare;

¹ States parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made for the enjoyment of those rights.

- (g) Education, leisure and cultural activities;
- (h) Special protection measures;
- (i) The Optional Protocols (the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict).

7. For each of the above areas, the text will present the measures adopted and the progress made, along with the challenges and future prospects.

8. With regard to the recommendation concerning the implementation of the two Optional Protocols, it will be the subject of separate reports.

9. The main sources of data are the 2010 multiple indicator cluster survey and the fifth demographic and health survey, particularly for statistical data on education, development, health and certain aspects of protection.

I. General measures of implementation

10. In order to protect and promote the children's rights recognized by the Convention, Mali has taken legislative, institutional and budgetary measures.

1.1 Legislative measures

- Act No. 2011-087 of 30 December 2011, which instituted the Persons and Family Code and brought significant improvements in the protection and promotion of children's rights, and specifically relating to respect for their physical integrity and birth registration
 - Act No. 2011-037 of 15 July 2011 on the organization of the judiciary in Mali, which established 53 juvenile courts
 - Revision of the texts of the National Human Rights Commission through the adoption of Act No. 09-42 of 19 November 2009, with a view to strengthening the law's capacity to protect and promote human rights. By virtue of its mission and powers, the National Human Rights Commission is a recourse for all citizens, including children.
 - Act No. 10-050 of 23 December 2010 creating the National Unit to Combat Child Labour
 - Decree No. 10-628/P-RM of 29 November 2010 on free malaria prevention and treatment at health establishments for children aged 0 to 5 and for pregnant women
 - Decree No. 06-118/P-RM of 16 March 2006 detailing the responsibilities of the Child Protection Delegate
 - Decree No. 06-006/P-RM of 11 January 2006 establishing the organization and operating procedures of the Reception and Family Placement Centre
11. As part of economic and social measures, a number of texts have been adopted, for example:
- Act No. 07-020 of 27 February 2007 creating planning and statistics units, including those for the health, social development and family promotion, education, justice, territorial administration and security sectors
 - Act No. 12-05/AN-RM of 5 January 2012 establishing a special appropriations account called the Support Fund for Women's Autonomy and Children's Development
 - Act No. 09-015 of 26 June 2009 instituting the compulsory health insurance scheme, which aims to cover the health costs related to sickness and maternity for insured persons and members of their families. This insurance scheme, which involves contributions from beneficiaries (3.06 per cent of salary for active civil servants and

0.70 per cent for pensioners) and their employers (4.48 per cent of salary for the State as an employer, and 3.50 per cent for private sector employers), will cover around 16 per cent of the Malian population. It covers employees in the formal sector: active or retired civil servants and their dependents, including those of local authorities, active or retired workers governed by the Labour Code and their dependents and active or retired members of parliament and their dependents.

- Decree No. 09-555 P-RM of 12 October 2009 setting out the application of the law establishing the medical assistance scheme
- Decree No. 06-282/P-RM of 11 July 2006 creating the National Family Council, one of the missions of which is to propose any measures to improve family conditions and status by managing family conflicts

12. At the subregional and international levels, Mali has subscribed to other instruments, including:

- The 2007 Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups
- The 2007 Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups
- The multilateral cooperation agreement on combating child trafficking in West Africa, adopted in July 2005 in Abidjan
- The multilateral cooperation agreement on combating trafficking in persons, especially women and children, in West and Central Africa, adopted in July 2006 in Abuja

1.1.1 *Institutional framework*

Technical structures

13. Each structure's tasks are in line with the work it carries out. A distinction is made between strategic and operational structures.

14. Strategic, orientation, planning and coordination structures are responsible for drawing up the elements of national policy in their respective fields and for monitoring and coordinating the implementation of such policies. They consist of national or general departments, which include the following:

- The National Directorate for the Promotion of the Child and the Family
- The National Directorate for the Advancement of Women
- The National Directorate for Development Planning
- The National Population Directorate
- The National Directorate for Health
- The National Directorate for Social Development
- The National Directorate for Social Protection and the Solidarity Economy
- The National Directorate for Basic Education
- The National Directorate for Preschool Education
- The National Directorate for General Secondary Education
- The National Directorate for Technical and Vocational Education
- The National Directorate for Youth
- The Directorate General of the National Police
- The Directorate General of the National Gendarmerie
- The National Directorate for Reformatory and Prison Administration

- The National Directorate for Judicial Affairs and Justice

15. Some of these structures have regional and local branches.

16. In 2009, a reform of the National Directorate for the Promotion of the Child and the Family and its regional and subregional services strengthened the planning function of its central and regional services in respect of the promotion and protection of children and young girls.

National development policies and programmes

17. The 2006–2012 period saw the adoption of several policies and programmes aimed at promoting and protecting children in Mali. Two rounds of Strategic Framework for Growth and Poverty Reduction Papers were adopted (for 2007–2011 and 2012–2017). The 2012–2017 Paper is a national reference document for child promotion and protection, as it aims, among other things, to accelerate implementation of the Millennium Development Goals through inclusive development based on the reduction of poverty and inequality.

18. The two framework papers bring together all the sectoral policies, strategies and programmes.

19. The 2012–2017 Growth and Poverty Reduction Paper incorporates the themes of the various national policies for the promotion and protection of children, gender and the fight against excision.

20. Strategic programmes too have supported the implementation of child promotion and protection policies, including the following:

- The 10-Year Health and Social Development Programme
- Education Sector Development and Investment Programmes
- The 10-Year Justice Development Programme

Bilateral cooperation programmes.

21. The Government of Mali and the United Nations Children’s Fund (UNICEF) signed a cooperation programme for 2008–2012. The programme, in line with Millennium Development Goals 1, 2, 3, 4, 5 and 6, aimed to enable children and women, particularly the most vulnerable, to fully enjoy all their rights.

22. The expected results of the programme were closely linked to those of the United Nations Development Assistance Framework for 2008–2012; they must contribute to achieving the national priorities set out in the 2007–2011 Growth and Poverty Reduction Strategy Paper. The programme’s actions were guided by the Convention, in particular the objectives of “A world fit for children”. They are in line with the five priority areas set by UNICEF for the 2006–2009 medium-term strategic plan.

23. Specifically, the cooperation programme will contribute to achieving the following United Nations Development Assistance Framework outcomes:

- “Greater awareness of, and enhanced protection for, human rights in a context of strengthened democratic governance and rule of law”:
 - The situation of children and women is documented, updated and analysed.
 - National policies in favour of children and women and national legislation in line with international conventions are implemented.
- “Access to quality basic social services for the most vulnerable groups is strengthened”:
 - Children aged 0–5 and pregnant women receive quality health care in the regions where the programme is active.
 - Children under 5 suffering from malnutrition are cared for in the most affected regions.

- Provision of drinking water and sanitation facilities in schools, health centres and dracunculiasis-endemic areas is improved.
- The first-year admission rate for girls is 95 per cent and their first-cycle completion rate is 80 per cent.
- The most vulnerable groups of children (*talibé* children, girls in domestic service, street children, disabled children) have access to appropriate basic education.

1.1.2 *Public spending efforts in the social sectors in 2012*

24. The Malian economy experienced a recession in 2012, with contraction of 1.5 per cent, against an initial forecast of 5.6 per cent growth. The poverty rate rose in 2012 to 42.7 per cent, up from 41.7 per cent in 2011, owing to compounded food, political and security crises. Much of the economy came to a standstill in 2012 and international cooperation was suspended. Real growth in gross domestic product (GDP) stood at -1.5 per cent in 2012 due to underperformance in the secondary (-2.2 per cent) and tertiary (-8.8 per cent) sectors. For its part, the primary sector grew by 8.1 per cent.

25. The multidimensional crisis that erupted in January 2012 resulted in 237,000 displaced people and 410,000 refugees and put around 4.6 million Malians at risk of food insecurity. Despite the recession and the suspension of foreign aid, the Government maintained planned spending on the social sectors (education, health and social protection) at 33.45 per cent of total expenditure. Social indicators improved more recently, but progress towards the Millennium Development Goals by 2015 remained mixed. Mali is well on the way to achieving goals 2, 6 and 7 relating to universal primary education, the fight against HIV/AIDS, malaria and other diseases and the preservation of the environment, including for the supply of drinking water. However, it remains unlikely that the other Millennium Development Goals will be achieved. The progress made has been undermined by the ransacking of health centres, pharmacies and schools by the armed groups that have occupied the northern regions.

1.2 **Constraints and limits**

An inadequate and ineffective legal framework

26. Despite legislative and institutional reforms, an analysis of the domestic legal framework reveals numerous constraints that hamper the effectiveness of laws and regulations governing the protection and promotion of children's rights.

27. In the case of vulnerable children, legal constraints are accentuated by cultural considerations and a negative social perception of the children's vulnerabilities. The standardization of the age of marriage at 18 in the Persons and Family Code has not been achieved, due to sociocultural considerations that are unfavourable to the protection and promotion of girls' rights. Weak policies and programmes to keep girls in school are a major factor in child marriage in both rural and urban areas.

28. Excision, prostitution, sex tourism, trafficking in children for sexual purposes and the commercial sexual exploitation of children are not yet covered by specific provisions of the Criminal Code.

Insufficient data

29. In the specific area of information on vulnerable children, quantitative and qualitative data are insufficient or even entirely lacking. To address this problem, an experimental child protection database was set up and tested in the Ségou region. Unfortunately, its nationwide rollout was interrupted by the onset of the 2012 crisis on the one hand and a lack of funding on the other. However, initiatives are currently under way to set up a child protection information system.

Insufficient political will

30. Despite the political will expressed at all levels, the situation is very critical at the operational level in terms of human and financial resources. Compared with forecasts for supervisory staff, there is a shortfall in actual staffing levels for specialized professionals in the social services. There is also an uneven geographical distribution, which disadvantages decentralized or operational services.

31. In terms of budget allocation, the amounts allocated to the Ministry for the Advancement of Women, Children and the Family and to the Ministry of Labour and Humanitarian Action remain low, at 0.30 per cent and 1.20 per cent, respectively.

Poorly coordinated actions

32. There is a real will among all stakeholders to create synergy in the various partners' action, but its effectiveness is hampered by difficulties within and between the structures. In this context, it is difficult to ensure the coordination, follow-up and monitoring of programmes and activities.

Insufficient involvement of the private sector in the promotion and protection of children

33. The Government of Mali is aware of the private sector's potential to leverage economic growth and the creation of wealth and jobs by promoting children's rights. A study carried out in 2011 under the title "The impact of the private sector on children's rights in Mali: Mapping and analysis of the private sector with a view to developing corporate social responsibility for the promotion of children's rights" has had less than promising results. Indeed, 66 per cent of companies had never heard of the term corporate social responsibility.

34. The Government is keen to get companies to contribute more to the financing of initiatives for children. To do so, it intends to:

- Promote the integration of corporate social responsibility in corporate strategies and ensure that they are geared to promoting children's rights
- Create an institutional framework conducive to the promotion of corporate social responsibility and its impact on children
- Create a platform for an intersectoral dialogue on childhood
- Implement sectoral pilot projects to propose improvements in the development of children's rights

1.3 Future prospects

35. The way forward is summarized in the Growth and Poverty Reduction Paper and the national policy and action plan for the promotion and protection of children that is currently being adopted.

36. The 2012–2017 Growth and Poverty Reduction Paper was prepared on the basis of the main challenges cited in the evaluation of the first two rounds, namely:

- Economic diversification for accelerated growth and the reduction of poverty and (regional and gender) inequalities
- Control over demographic growth
- Job creation for young people
- Challenges related to the environment and climate change
- Consolidation of peace and security
- Improvement of good (political, economic, environmental and judicial) governance
- Achievement of the Millennium Development Goals by 2015
- Stronger capacity-building

37. The aim of the 2012–2017 Growth and Poverty Reduction Paper is “to make Mali an emerging country and an agricultural powerhouse, with a good quality of life for its people, men and women”. This requires strong, sustainable and redistributive growth, a sound macroeconomic framework, and transformation and diversification of the country’s economic fabric.

38. As far as children are concerned, the National Policy for the Promotion and Protection of Children will be the reference document. In its vision of building “a democratic society that guarantees the development of children through the enjoyment and full exercise of their rights and duties, through the sustained empowerment of parents, the community, local authorities and the State, with a view to preparing children for effective citizenship inspired by our positive sociocultural values”, the policy offers greater guarantees of effective application of the Convention in Mali, in that it is based on a number of guiding principles that underpin it systemically. These include:

(a) The primacy of the rights-based approach in all child promotion and protection programmes;

(b) The primacy of the best interests of the child in finding solutions to the problems children face;

(c) Recognition of the State’s primary role in promoting and building a protective environment; and

(d) An inclusive, partnership-based approach, based on synergy of actions by all components of society (support, mobilization and participation), and in all regions.

II. Definition of the child

39. Under article 1 of the Convention, “a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier”. Mali ratified the Convention with no reservation to article 1.

Measures taken and progress achieved

Definition of the child

Progress achieved

40. Article 609 of the Persons and Family Code defines minors as persons who have not yet turned 18.

Constraints and limits

41. Within the meaning of the Convention, childhood ends on a person’s eighteenth birthday, except in States where the age of majority is set at less than 18 years. Under the Persons and Family Code, the minimum marriage age is 16 years for girls, or 15 years with parental authorization.

Way forward

42. Under the new National Policy for the Promotion and Protection of Children, a national strategy on early marriage will be adopted to raise the minimum age for girls to 18 years.

III. General principles

43. The four general principles – non-discrimination, the best interests of the child, survival and development, and respect for children’s opinions (or children’s right to participate) – are interdependent and non-derogable, even in emergency situations.

3.1 Progress achieved

3.1.1 Non-discrimination

44. In keeping with article 2 of the Constitution, the principle of non-discrimination is enshrined in article 3 of the Persons and Family Code.

45. The vision of the National Gender Policy is to build a “democratic society that ensures the development of all women and men through the full and equal exercise of their fundamental rights, civic engagement and participation and equitable access to resources, with the aim of turning Mali into an emerging country boasting strong growth and proud of its values of justice, peace, solidarity and social cohesion”.

46. According to the findings of the study on knowledge, attitudes and behaviours in relation to children’s and women’s rights (the children’s and women’s rights study), whether in rural areas (66.7 per cent) or urban areas (71.2 per cent), most parents register all their children’s birth, regardless of sex.

47. Equality between girls and boys is common practice among the parents surveyed, more than 60 per cent of whom reported that they treated their children equally in terms of birth registration, vaccinations, nutrition, school enrolment and protection.

3.1.2 The best interests of the child

48. Regarding the registration of children born out of wedlock, article 160 of the Persons and Family Code stipulates that birth certificates should not bear any mention of illegitimacy.

49. Pursuant to the Persons and Family Code, all children born in Mali to unknown parents are entitled to Malian nationality (art. 225). The child may keep this nationality, “even if his or her filiation with a foreign national is established during childhood and if he or she possesses, in accordance with the national law of this foreign national, the nationality of the foreign national.” Furthermore, the child may “give up Malian nationality through the established legal procedures within six months of reaching the age of majority”. Under the Persons and Family Code, Malian nationality is automatically given to any child if at least one parent has acquired Malian nationality.

50. In case of divorce, decisions about child custody must always take into account the best interests of the child.

3.1.3 The right to life, survival and development

51. Mali is continuing to implement its 10-year programmes on education and health. These programmes have had a positive impact, as illustrated by the outcomes presented in the various tables and graphs in this report.

3.1.4 Respect for the views of the child

52. Mali affirms the value of children as persons in their own right, who have the right to information and to freely express their views in all areas concerning them, in accordance with their level of maturity and discernment.

53. With regard to the involvement of children in decisions of concern to them, the aforementioned Children’s and Women’s Rights Study revealed lower than average participation (49.2 per cent). As for place of residence, participation is stronger in urban areas (60 per cent) than in rural areas (40.2 per cent).

54. The “School, the Friend of Children, Friend of Girls” project has fostered the active participation of children through 399 student governments.

55. The Children’s Parliament, created in 1996, draws the authorities’ attention to issues and engages in children’s rights advocacy.

3.2 Constraints and limits

56. In the children’s and women’s rights study, children responded that the main barriers to the realization of their rights are illiteracy (86.4 per cent), lack of knowledge of rights (85.6

per cent) and the burden of tradition (71.2 per cent). They also mentioned the failure to enforce the law (49.1 per cent), the negative attitude of duty bearers (49.9 per cent) and lack of access to legal texts (41.2 per cent).

57. In addition to this study, the 2010 multiple indicator cluster survey and the fifth demographic and health survey showed that low educational attainment in parents is an obstacle to the full realization of children's rights, in particular as it is reflected in the rates of violence (corporal punishment) and birth registration.

58. The fact that such a high percentage of respondents identified these constraints is a call to action. Broad public awareness-raising and stakeholder engagement (involving civil society organizations and technical and financial partners) are needed to reverse the trend.

3.3 Way forward

59. Respect for the general principles of the rights of the child is part of the approach under the Strategic Framework for Growth and Poverty Reduction 2012–2017, the draft national policy and action plan for the promotion and protection of children, the 10-Year Health and Social Development Plan 2014–2023, the Education Sector Development and Investment Programme (2010–2012, extended) and the National Gender Policy, among others.

60. Under the draft national policy for the promotion and protection of children, the development of children is a holistic concept that relates to many articles of the Convention.

IV. Civil rights and freedoms

61. Civil rights and freedoms are established in articles 7, 8, 13–17 and 37 (a) of the Convention.

4.1 Measures taken and progress achieved

4.1.1 Name

62. The conditions for acquiring, keeping or renouncing a name are contained in articles 27–35 of the Persons and Family Code. A name can be acquired by filiation, marriage or decision of the administrative or judicial authorities (art. 30). Moreover, anyone with a legitimate reason may apply to have their name or surname changed (art. 40).

4.1.2 Nationality

63. Article 219 of the Persons and Family Code establishes that the provisions on nationality contained in international treaties and agreements ratified and published by Mali are applicable. Regarding nationality at birth, article 244 of the Code stipulates that any child born in Mali or abroad to a Malian father or mother and a foreign national has Malian nationality but may, under articles 255 and 256, renounce it within six months of reaching the age of majority.

4.1.3 Corporal punishment

64. The right to free education is enshrined in national law (Constitution, Education Policy Act of 1999), as is the right to protection (Child Protection Code of 2002). Corporal punishment is banned under a ministerial order of 1994. Sexual violence is an offence under the Criminal Code. School rules and regulations broadly regulate teacher-student relations and prohibit corporal punishment but do not address sexual or psychological violence. In terms of protection, the action plan to combat violence against women and girls 2006–2011 includes several strategies and actions to address violence committed against girls in school settings.

65. Teacher training includes some information on education-related laws and professional ethics, but these topics tend to be broached as an overview, in brief training sessions. Gender mainstreaming is part of in-service training for teachers.

66. National education policies, whose goal is to increase enrolment and improve educational attainment, address school violence through the third Education Sector Development and Investment Programme 2010–2012, especially in relation to girls' education.

4.1.4 *Preservation of identity*

67. An acquired name is inalienable and is not subject to modification or withdrawal (art. 30).

4.1.5 *Freedom of expression*

68. Freedom of expression is recognized in article 4 of the Constitution and article 9 of the Child Protection Code. Projects giving children opportunities to express themselves have been developed for radio, which remains a primary means of communication in Mali, especially in rural areas. For example, the Union of Free Radio and Television Broadcasters, in partnership with UNICEF, developed a project called Oxyjeunes, whereby children can learn about reporting and producing techniques, the job of television news anchor and documentary presenter and the preparation and presentation of radio programmes. According to the children's and women's rights study, 55.5 per cent of children think their right to freedom of expression is violated. According to a 2011 report by the National Directorate for Youth, there are 136 youth centres where young people can obtain information about and discuss respect for their rights.

4.1.6 *Freedom of thought, conscience and religion*

69. Article 4 of the Constitution formally recognizes these rights and safeguards their exercise. Mali is a secular country, where two main religions cohabit, namely Christianity and Islam. According to the children's and women's rights study, only 36.4 per cent of children are aware of their right to freedom of religion.

4.1.7 *Freedom of association and peaceful assembly*

70. Article 5 of the Constitution provides that "under the terms set by law, the State recognizes and guarantees freedom of movement, free choice of residence and freedom of association and assembly". Children's organizations and clubs have been set up to ensure that children's rights are effectively enjoyed in Mali. These bodies receive the necessary support from partners to fulfil their mandates.

71. The national inventory of children's and youth associations and groups, conducted in February 2012, listed 462 organizations for the participation of children.

4.1.8 *Protection of privacy*

72. Article 6 of the Constitution provides that "the home, the private and family sphere and the secrecy of correspondence and communications shall be inviolable. They may be interfered with only as provided for by law".

4.1.9 *Access to appropriate information*

73. The children's and women's rights study looked into how children are informed about their rights. The sources most cited by child respondents include the media (81.5 per cent), school (65.2 per cent), parents (37.6 per cent) and places of worship (22.1 per cent).

4.1.10 *The right not to be subjected to torture or cruel treatment or punishment*

74. Torture and cruel treatment or punishment are offences under article 3 of the Constitution, which stipulates that "no one shall be subjected to torture or to inhuman, degrading or humiliating treatment or punishment. Any person and any government official guilty of such acts, whether committed on his or her own initiative or on orders, shall be punished in accordance with the law".

75. According to the children's and women's rights study, 90.8 per cent of children – 93 per cent in rural areas and 86.1 per cent in urban areas – reported having suffered physical

violence. They reported that violations occurred in the following places, by order of frequency: in the family, at school and in training facilities. When such violations of their rights were committed, 75.7 per cent of children, or 77.6 per cent in rural areas and 71.6 per cent in urban areas, said they did not issue a complaint.

Table 1
Breakdown of perpetrators of violations against children, by sex and year

Year	2008			2009		
	Men	Women	Total	Men	Women	Total
Abandonment	27	76	103	9	64	73
Homicide	4	6	10	0	8	8
Intentional injury	38	11	49	66	15	81
Unintentional injury	28	16	44	26	32	58
Infanticide	3	21	24	1	21	22
Murder	1	0	1	1	5	6
Neglect	11	20	31	11	16	27
False imprisonment	4	1	5	6	2	8
Trafficking/smuggling	8	10	18	11	15	26
Rape	48	4	52	74	2	76
Child abduction	0	0	0	0	0	0
Corruption of minors	3	0	3	0	0	0
Child abuse	3	0	3	0	3	3
Total	178	165	333	205	183	388

Source: National Centre for Documentation and Information on Women and Children, Report on the Situation of Children in Conflict with the Law and Child Victims of Crime, 2010.

76. A little over half (290) of the cases of individuals arrested (537) were referred for prosecution.

4.1.11 Civil status/birth registration

77. The National Directorate for the Civil Registry was established to support the modernization of services, such as birth registration, through the creation of a civil registration system governed by a legislative and regulatory framework and a civil status database, capacity-building for registry office employees, improved access to the relevant services, advocacy, communication and institutional support. The 2010 multiple indicator cluster survey showed that 81 per cent of children under 5 years of age in Mali had been registered at birth; the difference between girls and boys was negligible. This means that 19 per cent of children have no civil status and are thus deprived of the services and protection to which they have a right. Despite an increase in the number of places where parents can declare the birth of their child, the establishment of a community-based system to transmit these birth declarations to civil registry centres and the conduct of information and awareness-raising campaigns by the State and its partners, the rate of birth registration still needs to be improved.

4.2 Constraints and limits

78. Constraints and limits on children's civil rights and freedoms in Mali include:

- The burden of customs and traditions
- The fact that births are not systematically registered

4.3 Way forward

79. Future efforts in the areas of children's civil rights and freedoms will consist in part in the following measures:

- In terms of boosting civil registration:
 - Put into operation the National Directorate for the Civil Registry, established pursuant to Act No. 011/069 of 25 November 2011 ratifying Ordinance No. 2011/013/P-RM of 20 September 2011 on the establishment of the National Directorate for the Civil Registry
 - Support the issuance of birth certificates, through an already adopted derogation law, for all registered Malians who do not have one
 - Establish a civil registry system that is suited to nomadic life
- In terms of children's participation:
 - Leverage the findings of the national inventory of children's and youth associations and groups, conducted in February 2012
 - Take stock of the situation of the Children's Parliament and build its institutional capacity

V. Family environment and alternative care

80. The Convention stresses the essential role of the family, particularly parents, in protecting children's rights.

5.1 Measures taken and progress achieved

5.1.1 Policy and legal framework

81. Policies regarding children prioritize the protection of abandoned children or children in distress who need special attention.

82. Furthermore, the Persons and Family Code addresses matters relating to the family and alternative care. Improvements in this regard can be explained by the incorporation into the Code of some of the principles enshrined in the conventions ratified by Mali. Among the innovations introduced into the law are the following:

- Strengthening the status of children
- Defining surname and name
- Replacing the term "parental authority" (*puissance paternelle*) with the term "parental responsibility"

83. The 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption addresses international adoption and entered into force for Mali in September 2006.

84. The establishment, organization and operating procedures of children's institutions are governed by the following legislation:

- Ordinance No. 90-37/P-RM of 5 June 1990 establishing the Reception and Family Placement Centre
- Decree No. 06-006/P-RM of 11 January 2006 establishing the organizational and operating procedures of the Reception and Family Placement Centre
- Decree No. 06-024/P-RM of 12 January 2006 establishing the basic organization of the Reception and Family Placement Centre
- Decree No. 99-450/P-RM of 31 December 1999 setting out the conditions for the establishment and operating procedures of private reception and placement establishments for children

- Decree No. 02-067/P-RM of 12 January 2002 setting out the conditions for the establishment and operating procedures of private reception, listening, guidance and accommodation establishments for children
- Decree No. 06-282/P-RM of 11 July 2006 establishing the National Family Council

5.1.2 *Principles of “the best interests of the child” and “respect for the views of children” in addressing matters related to the family and alternative care*

85. In Mali, the protection of children is underpinned by a model in which the community bears a large share of the responsibility for monitoring the situation of children in their living environment. Under this model, everyone in the community has a duty to participate in the upbringing of children.

86. Social measures are preferred when it comes to protecting children in difficult situations. The purpose of these measures is to promote prevention and reintegration and correct unacceptable conduct towards children. They are aimed at physical or psychological rehabilitation or re-education and at children’s reintegration in society and their families. Among these measures, preference is given to those that promote keeping children in their families.

87. In addition to being a measure of last resort, the placement of children in institutions must be temporary (see table 9).

Table 2

Protection and/or rehabilitation institutions for children, 2012

<i>Status/Institution</i>	<i>Private</i>	<i>Public</i>	<i>Total</i>
Private reception and placement establishments for children	8	1	9
Private reception, listening, guidance and accommodation establishments for children	59	0	59
Total	67	1	68

Source: National Directorate for the Promotion of the Child and the Family, annual report.

5.1.3 *Adoption*

88. From 2008 to 2012, an average of 152 children were adopted each year, many of whom were adopted by foreign nationals. However, it should be noted that, under article 540 of the Persons and Family Code, foreign nationals are prohibited from adopting Malian children. This provision might explain the increase in the number of children living in residential establishments.

Table 3

Number of children adopted between 2008 and 2012

<i>Year</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
<i>Number of children</i>	195	120	155	182	109

Source: National Directorate for the Promotion of the Child and the Family, annual report.

5.1.4 *Abuse and neglect*

89. The Criminal Code and the Child Protection Code establish harsh penalties for perpetrators of offences against children.

90. Under article 325 of the Criminal Code, the penalties for failings or severe neglect towards children are a fine and imprisonment.

91. The Protection of Children and Decency Squad has set up a helpline for the reporting of cases of child endangerment, mistreatment or violence.

92. There is a dedicated mechanism for the care of children who are victims of violence, abuse, exploitation or neglect.

5.1.5 *Bilateral and multilateral agreements, treaties and conventions to which Mali is a party*

93. A multilateral cooperation agreement on combating child trafficking in West Africa was adopted in July 2005 in Abidjan, Côte d'Ivoire.

94. A multilateral cooperation agreement on combating trafficking in persons, especially women and children, in West and Central Africa was adopted in July 2006 in Abuja, Nigeria.

95. A bilateral agreement with Guinea was signed on 16 June 2005.

5.2 **Constraints and limits**

96. The 2012 crisis shone a spotlight on the deficiencies of the legal and institutional framework for the protection and care of children in emergency situations.

5.3 **Way forward**

97. The National Policy for the Promotion and Protection of Children, which the Government adopted on 16 July 2014, will ensure that all children are covered by measures to address social vulnerability.

98. The vision of the national policy on the care of orphans and other children at risk due to HIV/AIDS is to ensure that these children are provided with comprehensive care through the establishment of a favourable legal, socioeconomic and cultural environment.

VI. **Basic health and welfare**

99. Mali has taken steps to strengthen the rights of the child in relation to both physical and mental health, including the right to receive treatment, the right to rehabilitation, the right to social security and the right to maternal health care.

6.1 **Measures taken and progress achieved**

6.1.1 *Implementation of health and social protection policies*

100. The 10-Year Health and Social Development Plan 1998–2007 was implemented through the first Health and Social Development Programme 1998–2002 and the second Health and Social Development Programme 2005–2009 and the extension thereof, which covered 2009–2011. These programmes reflected the commitment of Mali to the Millennium Development Goals and the Paris Declaration on Aid Effectiveness and to related initiatives such as Harmonization for Health in Africa and the International Health Partnership. The signing of the national compact in 2009 marked a major milestone in efforts to establish a single, harmonized framework for increasing aid for the health sector and improving its use, with a view to accelerating the achievement of the Millennium Development Goals.

An overall moderate and gradual improvement of indicators

101. According to the fourth and fifth demographic and health surveys (2006 and 2012–2013, respectively), the infant and child mortality rate fell from 191 deaths per 1,000 live births in 2006 to 95 deaths per 1,000 in 2012.

102. The proportion of underweight children under 5 years old decreased from 33.3 per cent in 2001 to 32 per cent in 2006 and to 18 per cent in 2010.

103. The number of women practising birth spacing remains very low. The percentage of women in a union using a modern method of contraception rose from 4.5 per cent in 1996 to 9.2 per cent in 2010, while it was estimated that 31 per cent of women had unmet needs in that regard. This level of contraceptive prevalence had little effect on the high annual population growth rate (3.6 per cent) recorded by the 2009 General Population and Housing Census.

104. There were disparities between the richest and the poorest populations for certain indicators. For example, the proportion of underweight children under 5 years old was 17 per cent among the richest and 30.8 per cent among the poorest.

105. However, the gap has narrowed for mortality rates among children under 5 years old.

A significant expansion of the geographical coverage of the network of community health centres

106. The proportion of the population living within 5 km of a health centre fell from 57 per cent in 2009 to 56 per cent in 2012. The Minimum Activity Package has been strengthened by new strategies.

Table 4

Population's access to community health centres, 2005–2012

<i>Year</i>	<i>Percentage with access to a centre within a radius of 5 km</i>	<i>Percentage with access to a centre within a radius of 15 km</i>
2005	50	Undetermined
2006	51	76
2007	58	79
2008	58	80
2009	57	88
2010	58	89
2011	59	90
2012	56	85

Source: National Directorate for Health, Local Health Information System Statistical Yearbook, 2012.

107. The proportion of the population having access to a community health centre within a radius of 5 km rose from 50 per cent in 2005 to 56 per cent in 2012. The proportion having access to a centre within a radius of 15 km increased from 76 per cent in 2006 to 85 per cent in 2012.

Improvement of the performance of the health system

108. The referral systems of virtually all referral health centres have been upgraded. The referral system has been made more efficient in order to facilitate the provision of emergency obstetric care. There was a significant rise in the rate of caesarean sections, from less than 1 per cent in the late 1990s to 2.4 per cent in 2012.

Table 5

Causes of post-caesarean maternal deaths, 2006–2012 (number and percentage)

<i>Cause of death</i>	<i>Eclampsia as a complication of hypertension</i>		<i>Haemorrhage</i>		<i>Infection</i>		<i>Uterine rupture</i>		<i>Anaemia</i>		<i>Other</i>		<i>Unknown</i>		<i>Total</i>
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	
2006	40	17	48	21	31	14	47	21	27	12	25	11	11	5	229
2007	54	21	32	13	49	19	42	17	31	12	39	15	7	3	254
2008	47	23	38	19	36	18	33	16	18	9	27	13	6	3	205
2009	38	20	46	24	28	15	30	16	20	11	19	10	9	5	190
2010	49	23	54	26	25	12	17	8	24	11	32	15	11	5	211
2011	39	20	56	29	22	11	19	10	26	13	24	12	8	4	193

Cause of death	Eclampsia as a complication of hypertension		Haemorrhage		Infection		Uterine rupture		Anaemia		Other		Unknown		Total
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	
2012	41	20	40	20	15	7	32	16	30	15	33	16	6	3	201
Total	308	21	314	21	206	14	220	15	176	12	199	13	58	4	1 483

Source: National Directorate for Health, Local Health Information System Statistical Yearbook, 2012.

Empowering actors and strengthening solidarity to ensure universal access to health care

109. More than 50 per cent of community health associations have signed an agreement with their respective communes as part of decentralization efforts.

110. Total annual per capita health expenditure rose from \$18 in 1998 to \$38 in 2009. Households contributed at least 52 per cent of total expenditure. Health expenditure as a share of GDP rose from 1.4 per cent in 2002 to 2 per cent in 2009. The share of the national budget allocated to health increased from 6.4 per cent to 8.16 per cent over the same period, still falling far short of the commitment made by African Heads of State in Abuja. The adoption in 2009 of the policy for the development of human resources in health and its various plans led to an improvement in technical capacities.

Access to health services

111. As a result of the hospital reform, hospitals were given the status of “public hospitals” and were granted managerial autonomy.

112. The referral and evacuation system for obstetric emergencies was created through the perinatal programme. It is in the process of being implemented and is not functional in all areas. To harmonize interventions, a conceptual framework for the organization of the referral and evacuation system in Mali was developed in May 2000. The report on reviews of emergency obstetric and neonatal care from 2006 to 2012 shows that all referral health centres were covered by comprehensive emergency obstetric and neonatal care services, while only 81 of the 1,134 community health centres (7.14 per cent) were covered by basic emergency obstetric and neonatal care services.

113. While Mali is currently well covered by comprehensive emergency obstetric and neonatal care services, more work is needed to meet the target set by the United Nations system of one comprehensive emergency obstetric and neonatal care facility and four basic emergency obstetric and neonatal care facilities for every 500,000 inhabitants.

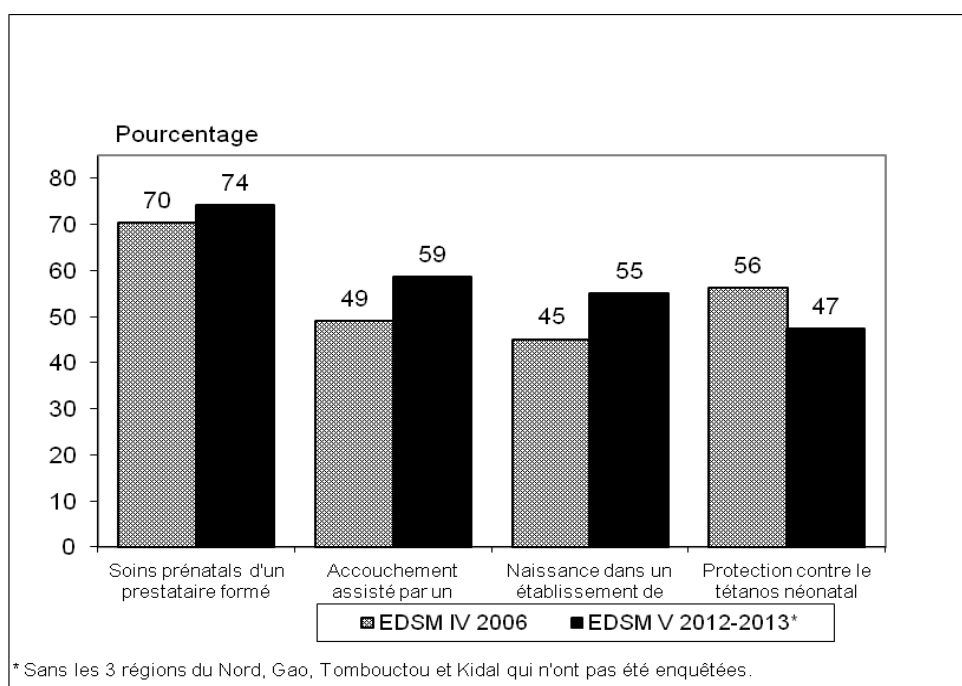
114. The implementation of the National Pharmaceutical Policy, adopted in 1999, has helped to structure the pharmaceutical sector. It has improved the availability of essential medicines and contributed to their more rational use.

Prenatal care and deliveries

115. Appropriate prenatal and intrapartum care is important for ensuring that the mother and her child are healthy. According to the fifth demographic and health survey, 74 per cent of women consulted a health-care professional during their last pregnancy, representing a slight rise on the rate of 70 per cent recorded by the fourth demographic and health survey, in 2006. The percentage of women living in urban areas who consulted a health-care professional (93 per cent) was higher than the percentage of women living in rural areas who did so (69 per cent).

Maternal and child health

Figure 1

Maternal and child health indicators, fourth and fifth demographic and health surveys, 2006 and 2012–2013

116. The results of the fifth demographic and health survey show that 55 per cent of births took place at a health facility, compared with 45 per cent in 2006.

117. Trained personnel were present at 59 per cent of deliveries. This proportion rose from 2006, when it was estimated to be 49 per cent.

Child vaccination

118. According to vaccination booklets and/or mothers' statements, 39 per cent of children aged between 12 and 23 months are fully vaccinated, while 12 per cent have received no vaccines at all. Some 72 per cent of children aged between 12 and 23 months have been vaccinated against measles. A third dose of the diphtheria-tetanus-pertussis vaccine has been given to 63 per cent. The vaccination dropout rate is 21 per cent.

6.1.2 Nutritional status

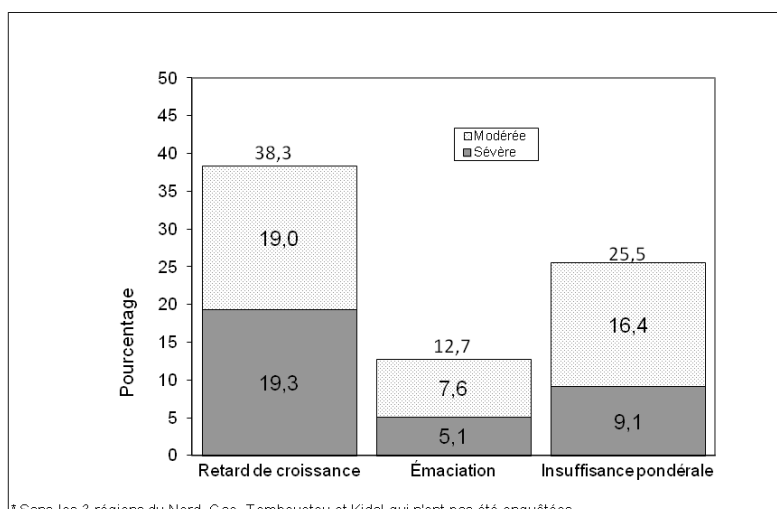
Breastfeeding and supplementary feeding

119. The fifth demographic and health survey indicated that 96 per cent of children under six months old were breastfed, and what is more, 89 per cent of children aged between 12 and 15 months were still breastfed. However, only 33 per cent were exclusively breastfed. The recommendation to supplement breast milk with solid foods from the age of six months was not yet followed. In addition, a significant proportion of children were bottle-fed (6 per cent of children aged between 0 and 5 months).

Nutritional status of children

120. Malnourished children face a high morbidity and mortality risk. Malnutrition also affects children's mental development.

Figure 2
Prevalence of malnutrition among children under 5 years old



Source: Fifth demographic and health survey.

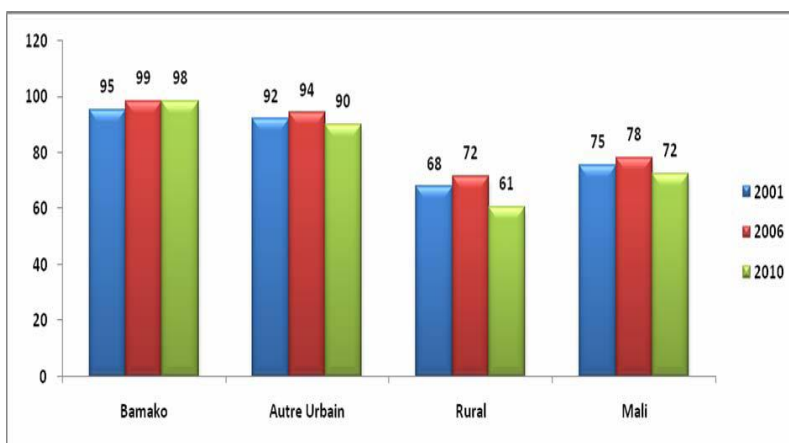
121. Overall, 38.3 per cent of children suffered from chronic malnutrition and 19 per cent from severe malnutrition. The level of stunting increases rapidly with age. Children whose weight-for-height falls below minus two standard deviations from the median for the reference population are classified as emaciated or underweight.

122. According to the fifth demographic and health survey (2012–2013), around 26 per cent of children were underweight, and a bit less than half of them, representing 9 per cent, were severely underweight. A similar proportion of boys (24 per cent) and girls (27 per cent) were underweight. However, there was a higher proportion of underweight children in rural areas than in urban areas (28 per cent compared to 17 per cent).

6.1.3 Access to drinking water

123. Drinking water is defined as water that comes from taps, boreholes or improved or protected wells. Based on this definition, the access rate was 78.3 per cent in 2006 and 72.4 per cent in 2010. The rate of access to drinking water in urban areas was almost stable between 2006 (95.7 per cent) and 2010 (93.9 per cent). In contrast, the rate of access in rural areas fell from 71.6 per cent in 2006 to 60.6 per cent in 2010.

Figure 3
Percentage of households with access to drinking water, by area



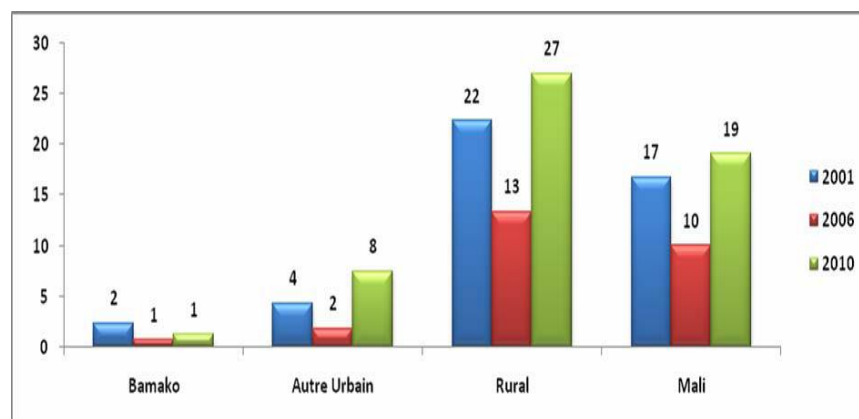
Source: Multiple indicator cluster survey, 2010.

6.1.4 Hygiene and sanitation

124. In 2010, 75.6 per cent of Malian households used pit latrines. The figure was 83.4 per cent in urban areas and 71.3 per cent in rural areas. Modern sanitation facilities were mainly used in urban areas (12 per cent) and by the wealthiest households (17.3 per cent). However, between 2001 and 2010, all areas, with the exception of Bamako, saw an increase in the number of people relieving themselves in nature.

Figure 4

Percentage of households lacking latrines or toilets, by area and overall



Source: Multiple indicator cluster survey, 2010.

6.1.5 HIV/AIDS

125. The prevalence of HIV/AIDS in Mali fell from 1.3 per cent of the total population in 2006 to 1.1 per cent in 2012. According to data from the fifth demographic and health survey (2012–2013), HIV/AIDS was more prevalent among women (1.3 per cent) than men (0.8 per cent). Its prevalence among young people aged between 15 and 24 years was 0.7 per cent.

126. In accordance with the principles of its national policy, Mali is implementing a comprehensive care strategy for orphans and children vulnerable to HIV/AIDS. Intervention strategies are focused on:

- Prevention and awareness-raising
- Medical and psychosocial care and testing for HIV-positive mothers and children
- Ensuring ethical practices and protecting children's rights
- Promoting the participation of orphans and vulnerable children and their communities in efforts to combat HIV/AIDS

Table 6

Distribution of patients on antiretroviral therapy by category, region and rate of retention in follow-up care, 2012 (number and percentage)

Region	Patients beginning antiretroviral therapy		Patients receiving regular follow-up care		Retention in follow-up care
	Adults	Children	Adults	Children	
Kayes	2 620	166	1 915	140	73.8
Koulikoro	2 761	123	1 783	115	65.8
Sikasso	5 444	292	3 417	203	63.1
Ségou	4 087	208	2 140	108	52.3
Mopti	2 239	109	1 067	62	48.1
Timbuktu	355	14	75	0	20.3

Region	Patients beginning antiretroviral therapy		Patients receiving regular follow-up care		Retention in follow-up care
	Adults	Children	Adults	Children	
Gao	305	23	115	0	35.1
Kidal	4	0	1	0	25.0
Bamako	25 692	2 082	16 326	1 284	63.4
Total	43 507	3 017	26 839	1 912	61.8

Source: National Directorate for Health, Local Health Information System Statistical Yearbook, 2012.

Awareness of HIV/AIDS among adolescents

127. According to the results of the fifth demographic and health survey, 83 per cent of women and 96 per cent of men claimed to have heard of HIV/AIDS. The figure was 82.1 per cent among girls and 91.7 among boys aged between 15 and 19 years.

6.1.6 Adolescent health

128. According to the fifth demographic and health survey, adolescent girls aged between 15 and 19 years accounted for 12 per cent of the total fertility of females in urban areas and 15 per cent in rural areas.

129. The total fertility rate is estimated at 6.1 children per woman. The rate is higher in rural areas, where the average is 6.5 children per woman, than in urban areas, where it is 5.0 children per woman.

Table 7
Use of contraception

Current use of contraception																
Percentage of women aged between 15 and 49 years who are currently in unions and who use contraceptive methods, broken down by selected sociodemographic characteristics, 2012																
Sociodemographic characteristics	Any method	Modern method	Female sterilization	Modern method							Traditional method		Not currently using	Total	Number of women	
				Intra-uterine device	Pill	Injection	Implant	Male condom	Lactational amenorrhoea method	Other	Necklace	Other				
<i>Age group</i>																
15-19	6.7	6.5	0.0	0.0	1.3	3.8	1.4	0.0	0.0	0.0	0.2	0.0	0.2	93.3	100.0	813
20-24	10.3	10.0	0.0	0.4	3.0	3.9	2.7	0.0	0.0	0.0	0.3	0.1	0.2	89.7	100.0	1 560
25-29	10.0	9.5	0.0	0.3	3.5	3.4	2.1	0.2	0.0	0.1	0.5	0.0	0.4	90.0	100.0	1 981
30-34	12.2	11.8	0.1	0.6	2.6	5.1	3.1	0.3	0.0	0.0	0.4	0.1	0.2	87.8	100.0	1 627
35-39	12.4	11.9	0.5	0.5	3.0	4.4	3.3	0.0	0.0	0.1	0.5	0.1	0.4	87.6	100.0	1 302
40-44	11.4	10.5	0.1	0.3	2.9	4.7	2.3	0.0	0.0	0.0	0.9	0.2	0.6	88.6	100.0	880
45-49	6.0	5.5	0.1	0.0	1.4	2.0	1.5	0.0	0.0	0.0	0.5	0.0	0.5	94.0	100.0	655
<i>Area of residence</i>																
Urban	22.8	21.8	0.3	1.2	7.2	6.5	5.9	0.5	0.0	0.1	1.0	0.1	0.8	77.2	100.0	1 824
Rural	7.1	6.8	0.0	0.1	1.6	3.4	1.6	0.0	0.0	0.0	0.3	0.1	0.3	92.9	100.0	6 995

Source: Fifth demographic and health survey.

130. The use of contraceptive methods by women aged between 15 and 49 years in unions was low: 10.3 per cent of such women said that they were using a contraceptive method of some kind at the time of the survey. Most were using a modern method (9.9 per cent compared to 0.5 per cent for traditional methods). The percentage of women using contraceptive methods had increased since the fourth demographic and health survey was conducted in 2006, rising from 6.9 per cent that year to 9.9 per cent at the time of the most recent survey.

Drug and alcohol addiction among adolescents

131. The 2010 study on drug and alcohol abuse among adolescents in Mali found that more than one fifth of children used either alcohol, tobacco, cannabis and its derivatives, psychoactive drugs, stimulants, hallucinogens or disruptors. The study also revealed that adolescents started using such substances at a very young age (13 years for boys and 12 years for girls). Addictions started to develop between the ages of 14 and 15 years.

132. The study showed that substance abuse was most prevalent in places bringing young people together, such as schools and community centres or children's groups.

6.1.7 Care for children with disabilities

133. Existing data show that, despite major interventions throughout the country, the number of children with disabilities receiving care is quite low, particularly for programmes aimed specifically at children.

Table 8

Situation of children with disabilities in 2005 and 2012

Description	Year	
	2005	2012
Number registered	13 330	1 842
Number enrolled in school	3 818	121
Percentage enrolled in school	28.64	6.56

Source: Assessment by the Regional Directorate for Social Development and the Solidarity Economy, 2006–2013.

134. In Mali, there are specific support and rehabilitation centres for persons with disabilities.

6.1.8 Social security

135. Significant progress has been made in promoting solidarity at the legislative, regulatory and institutional levels by strengthening social protection through the compulsory health insurance scheme, the medical assistance scheme and support for the development of mutual health organizations. Additional achievements include the establishment of the National Health Insurance Fund and the National Medical Assistance Agency. However, the combined coverage of all these mechanisms remains low, at around 20 per cent of the population.

136. The reforms made to the Malian Social Security Fund (formerly the Malian Pension Fund) under Act No. 10-029 of 10 July 2010 have enabled the Fund to take on other responsibilities, including the delegated management of the compulsory health insurance scheme, the occupational accidents and illnesses scheme and the supplementary funded pension scheme.

Compulsory health insurance scheme

137. The compulsory health insurance scheme instituted by Act No. 09-015 of 26 June 2009 aims to cover the health costs related to sickness and maternity for insured persons and members of their families.

Medical assistance scheme

138. Act No. 09-030 of 27 July 2009 provided for the establishment of the medical assistance scheme to provide medical coverage for persons with no income. Access to the medical assistance scheme is granted on a temporary basis to persons who are not insured under the compulsory health insurance scheme and to individuals who have no health insurance, including residents of charitable institutions, orphanages, rehabilitation centres and any public or private not-for-profit establishments housing abandoned children or adults with no family.

6.2 Constraints and limits

6.2.1 *In access to health-care services*

139. Despite the expansion of the referral and evacuation system, the target for the performance of caesarean sections has not been met.

140. Some of the equipment provided does not meet the required standards, despite the definition of technical specifications. There are also problems linked to the maintenance of this equipment, which has not been up to standard, and its replacement.

141. The permanent availability of essential medicines, which is one of the prerequisites for offering a quality service, is guaranteed through compliance with the master plan for the supply and distribution of these essential medicines. However, there have been some shortages, due to a number of factors. The factors affecting the demand for health care are:

- The population's weak purchasing power
- Geographical and financial accessibility

6.2.2 *In the referral and evacuation system*

142. The shortcomings can be summarized as follows:

- The inconsistent payment of contributions
- The failure to take into account the respective costs of referring women from villages to community health centres and from community referral health centres to public hospitals
- Failure to take newborns into account in the conceptual framework
- Failure to take into account the cost of treatment of women from villages not covered by community health centres by other centres

6.2.3 *In the social services*

143. The major difficulties in caring for vulnerable groups can be summarized as follows:

- Problems in ensuring access to basic social services for vulnerable groups
- Inadequacy of care for these vulnerable people
- The virtual absence of mechanisms for coordinating the various interventions
- A lack of data on target groups

6.3 Way forward

144. The aim is to use the next 10-year health and social development plan as an opportunity to ensure universal access to health care, the provision of quality services and the achievement of results in terms of health, solidarity and the promotion of women and children. The following actions are recommended to that end.

145. Improvement of the performance of the health system through:

- The establishment of a basic health system that is closer to the population and well managed and that provides quality services

- The improvement of the accessibility and efficiency of the referral system
 - The medicalization of the first level of the health system to improve its performance and reduce disparities
 - The increased integration of hospitals into the health system to ensure greater effectiveness and efficiency
 - The recognition of the private sector as a partner
 - The strengthening of the governance of the pharmaceutical sector
 - The effective and efficient maintenance of materials and equipment
146. Empowerment of actors, strengthening of solidarity and management of the sector's development through:
- The strengthening of solidarity to ensure access to health care
 - An increased mobilization of financial resources
 - The empowerment of actors
 - The management of human resource development and improvement of staff performance
 - The strengthening of the information system's contribution to monitoring progress and evaluating results
 - The strengthening of inclusive strategic planning
 - The conducting of studies and research
 - The management of problems linked to the demographic challenge

VII. Education, leisure and cultural activities

7.1 Measures taken and progress achieved

147. The development of the education sector in Mali is based on the 10-Year Programme for the Development of Education and Culture 2001–2011. That programme was implemented through the Education Sector Development and Investment Programme.

148. Basic education was the top priority of the Education Sector Development and Investment Programme, the aim being to achieve universal school enrolment by 2012. Its ultimate aim was to help achieve the Millennium Development Goals while also reducing various disparities. The Constitution of 25 February 1992 provides for free and secular education.

149. Under the Education Policy Act, Act No. 99-046 AN-RM of 28 December 1999, the right to education is guaranteed for every citizen.

150. Every year, the Government earmarks 36 per cent of the national budget for the sector.

7.1.1 *General principles and objectives of education*

151. The public education service is designed and organized with learners in mind, taking into account development objectives and sociocultural values.

Improvement of the quality of education

152. The effectiveness of education was improved in 2010 by increasing the number of books per child and the number of pupils succeeding at school. In addition, children with little or no education have been given the chance to obtain a vocational qualification.

153. Thanks to this improvement, teachers are well trained and there are more classrooms. There are now a total of 15 teacher training institutes.

154. High demographic growth (around 3.6 per cent) means that more classrooms need to be built. There are on average 60 children in each public school class, and there are often classes with 90 children or more.

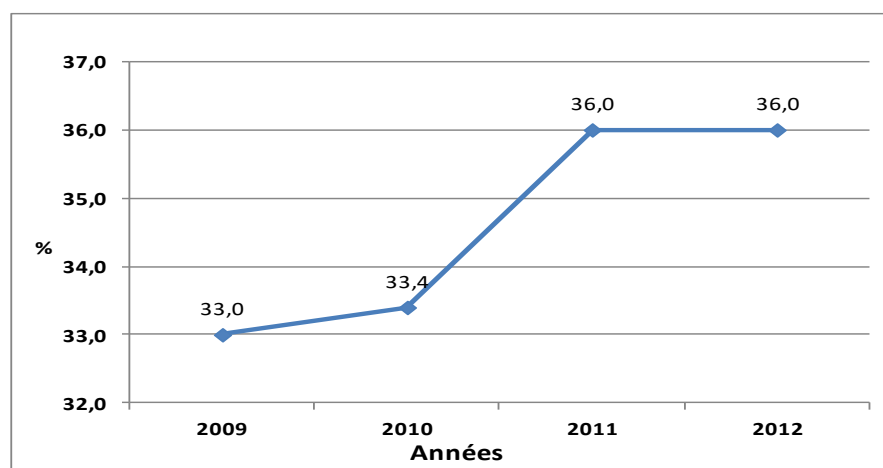
Table 9

Evolution of the student-teacher ratio in the first cycle, by school status, 2010–2012

<i>School status</i>	<i>2009–2010</i>	<i>2010–2011</i>	<i>2011–2012</i>
Public	61	60	51
Private	44	40	32
Community	36	36	24
Madrasas	43	40	37
Total	50	49	42

Source: Planning and statistics unit of the Ministry of Education, Literacy and National Languages, Basic Statistical Yearbook, 2010–2011.

Figure 5

Evolution of the share of the budget earmarked for education, 2009–2012

Source: Database of the Directorate General for the Budget, Ministry of Finance, 2012.

Development – education and literacy

Early childhood development²

155. The multiple indicator cluster survey and integrated light household survey of 2010 assessed young children's level of development in four key areas: literacy and numeracy; physical development (physical ability and absence of recurrent illnesses); social and emotional development; and learning (ability to follow simple instructions and to occupy themselves independently). The Early Childhood Development Index shows the percentage of children aged between 36 and 59 months whose development in at least three of these four areas is on track. In Mali, the score is 46 per cent. The lowest score (6 per cent) was obtained in literacy and numeracy, while the highest score was achieved in physical development (94 per cent).

Early childhood education

156. In Mali, just 10 per cent of children attend a preschool programme. Disparities in this area are considerable, as 40 per cent of children from the wealthiest households attend such programmes, while almost no children (1 per cent) from the poorest households do so.

² Multiple indicator cluster survey and integrated light household survey, 2010.

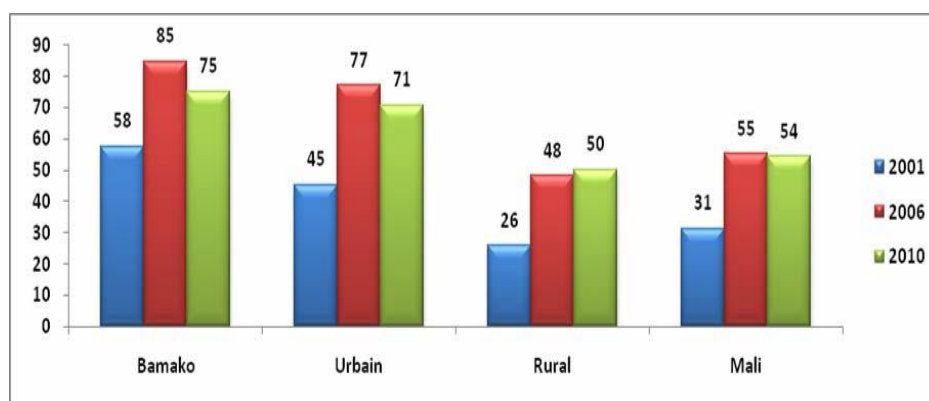
School enrolment³

In the first cycle

157. In 2010, the national gross school enrolment ratio and net school enrolment ratio in the first cycle were 75.4 per cent and 54.3 per cent, respectively. These two indicators remained almost stable when compared with 2006 (75.4 per cent and 55.2 per cent), but varied considerably by environment, and much less by sex. Indeed, the net school enrolment ratio was higher in Bamako (50 per cent). The net school enrolment ratio was 56.7 per cent among boys and 51.8 per cent among girls.

Figure 6

Net school enrolment ratio in the first cycle, by area of residence



Source: Multiple indicator cluster survey and integrated light household survey, 2010.

In the second cycle

158. The national gross school enrolment ratio and net school enrolment ratio for the second cycle improved in 2010 (46.7 per cent and 22.8 per cent, respectively) when compared with the ratios seen in 2006 (36.9 per cent and 16.5 per cent). The net school enrolment ratio varied by area and sex.

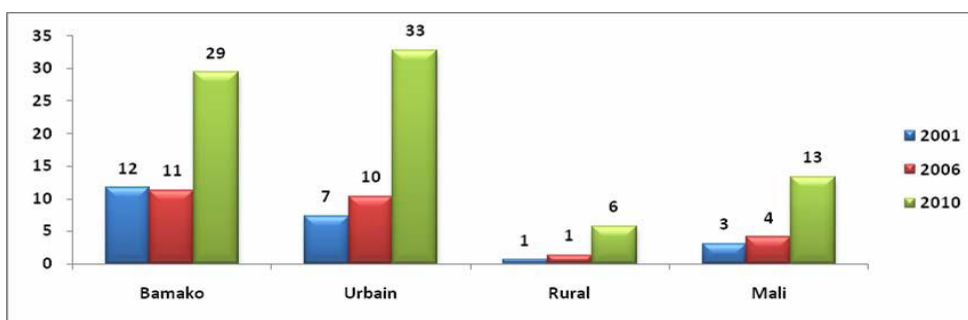
In secondary education

159. At the secondary level, the net school enrolment ratio was 13.2 per cent in 2010. This marked an increase on 2006, when it was 4.1 per cent. This increase in enrolment in secondary education was seen in almost all regions of Mali, although the ratio was lower (7.3 per cent) in the north of the country (Timbuktu, Gao and Kidal).

160. In 2010, 18.2 per cent of the students enrolled in secondary school were boys, while 8.8 per cent were girls. The gap between boys and girls at this level of education is very pronounced in all regions, and particularly in Bamako. It should also be noted that household living conditions have a considerable impact on school enrolment ratios. Accordingly, 22.6 per cent of secondary school pupils come from the richest households, while 2.8 per cent come from the poorest.

³ Multiple indicator cluster survey and integrated light household survey, 2010.

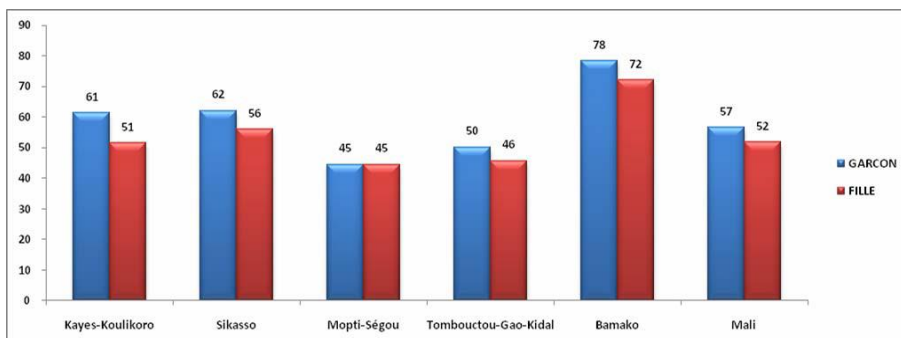
Figure 7
Net school enrolment ratio at the secondary level, by area of residence



Source: Multiple indicator cluster survey and integrated light household survey, 2010.

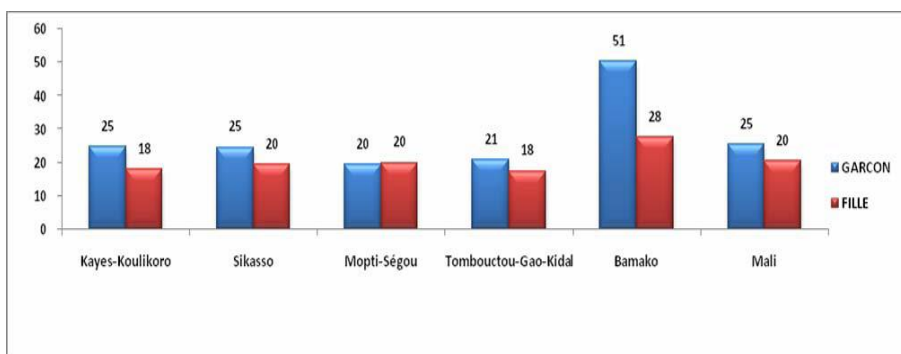
161. A comparison of the net school enrolment ratios seen in 2006 and 2010 shows that the ratios in rural areas improved in comparison with those in urban areas. However, this improvement is much more pronounced in the second cycle than at other levels of education (see figures below).

Figure 8
School enrolment ratio in the first cycle, by sex, region and regional group, 2010



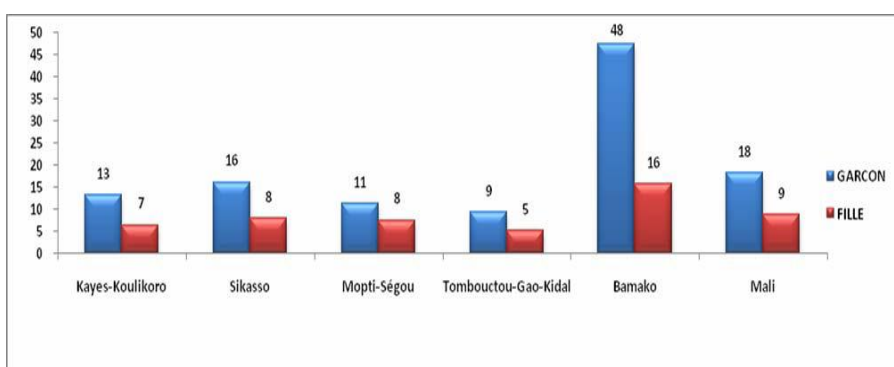
Source: Multiple indicator cluster survey and integrated light household survey, 2010.

Figure 9
School enrolment ratio in the second cycle, by sex, region and regional group, 2010



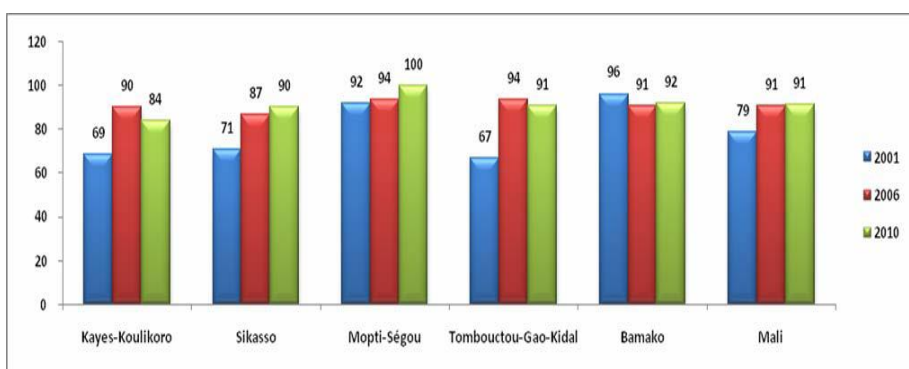
Source: Multiple indicator cluster survey and integrated light household survey, 2010.

Figure 10
School enrolment ratio at the secondary level, by sex and regional group, 2010



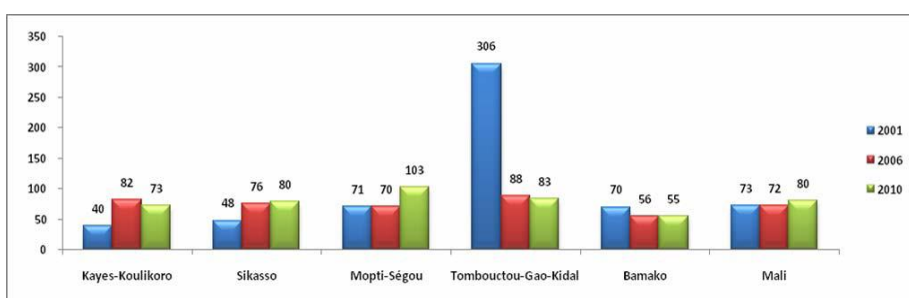
Source: Multiple indicator cluster survey and integrated light household survey, 2010.

Figure 11
Ratio of boys to girls in the first cycle, by region and regional group



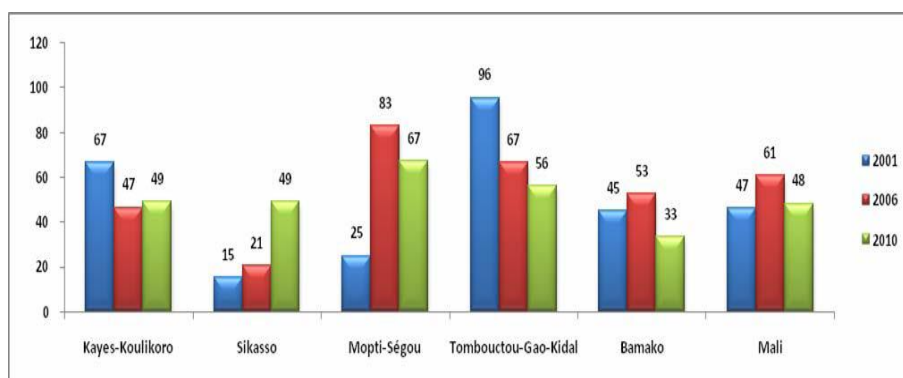
Source: Multiple indicator cluster survey and integrated light household survey, 2010.

Figure 12
Ratio of boys to girls in the second cycle, by region and regional group



Source: Multiple indicator cluster survey and integrated light household survey, 2010.

Figure 13
Ratio of boys to girls at the secondary level, by region and regional group



Source: Multiple indicator cluster survey and integrated light household survey, 2010.

7.1.2 School attendance

162. According to the results of the multiple indicator cluster survey and integrated light household survey of 2010, the net school attendance rate remained low. Less than 60 per cent of school-age children actually attended primary school.

7.1.3 Literacy among young women⁴

163. Among young women aged between 15 and 24 years, 23 per cent are literate. There are disparities among households based on their level of economic well-being.

7.2 Constraints and limits

164. A study on the attendance of children aged between 7 and 18 years, conducted in 2012 by three organizations (the Malian National Statistics Institute, the Institute of Human Sciences and the Centre for Population, Poverty and Public Policy Studies/International Network for Studies in Technology, Environment, Alternatives and Development) revealed two important facts:

- The predominance of cultural factors (education level of head of household and degree of urbanization) over economic factors (household living conditions) in explaining children's school attendance
- The existence of gender inequalities in education

Living more than 30 minutes from a school: A barrier to school attendance

165. Children who live more than 30 minutes from a school are less likely to attend school than children who live less than 30 minutes away.

7.3 Way forward in the fields of education and child development

166. During the third phase of the Education Sector Development and Investment Programme, the Government's initiatives will focus on aspects that include:

- The prioritization of basic education, taking into account early childhood development through the establishment of public bodies and the development of local primary schools (including nomadic schools and multigrade schools), with a particular focus on girls' school enrolment
- The establishment of a school meals programme to encourage children to remain in school

⁴ Multiple indicator cluster survey and integrated light household survey, 2010.

- The elimination of the examination for entry into the seventh year of basic education, to ensure that all students are able to receive nine years of education, as recommended by the 10-Year Programme for the Development of Education and Culture
- The prioritization of the recruitment of trainee teachers with a secondary education diploma to ensure a better quality of trainees
- The establishment of incentives for teachers in disadvantaged areas

VIII. Special protection measures

8.1 Measures taken and progress achieved

167. Pursuant to its international commitments, Mali has set up a specialized juvenile justice system, through Act No. 01-081 of 24 August 2001 on the criminal responsibility of minors and the establishment of juvenile courts.

168. This legislation provides for the establishment within the ordinary courts of juvenile courts with exclusive jurisdiction over cases involving minors.

8.1.1 *The conceptual framework for caring for child victims of violence, abuse, exploitation and neglect*

169. The Procedural Manual for caring for child victims of violence, abuse, exploitation and neglect, which was drawn up in 2010, aims to harmonize and better monitor actions for vulnerable children. It sets out guidelines, defines principles and identifies areas of action.

170. Comprehensive care for child victims of violence, abuse, exploitation and neglect is provided at the family, community and institutional levels.

171. At the family level, this relates to all measures taken and implemented by parents, families, guardians and other authorities directly responsible for the child in order to meet the needs of the most vulnerable children.

172. At the community level, it refers to a set of measures implemented by education and health-care providers, paramedics, individuals, non-governmental organizations (NGOs) and associations, etc., to meet the needs of the most vulnerable children in the community.

173. At the institutional level, it involves caring for the child, which refers to a set of activities to look after, educate and socialize the child, implemented by the staff of a public or private educational or health institution. These staff members are generally members of NGOs or associations, etc. The aim of this care is to make sure that the needs of the most vulnerable children and/or victims are met in terms of access to basic essential services designed for the reception, accommodation, protection and social rehabilitation or reintegration of the child.

174. Institutional care is always intended to support the care naturally provided by the family and to supplement it when the family is faced with difficulties of various kinds; it supplements, rather than replaces, the family's role in bringing up its children.

8.1.2 *Care for children in street situations/children who beg*

175. There has so far been no nationwide study specifically on children in street situations. In 2010, the Samusocial Mali emergency social service carried out a study of children and young people in street situations in Bamako. As the phenomenon of street children occurs mainly in urban areas, the results of the study reflected the reality in the country.

176. The primary goal of the study was to contribute to the development of action research to help combat the social exclusion of children in street situations in Bamako. It aimed to strengthen the capacity of all stakeholders in Mali to understand and analyse the phenomenon, so as to be better able to devise or rethink suitable actions and activities.

8.1.3 *Child exploitation, including child labour and trafficking in children*

177. In Mali, children in street situations are the most vulnerable to economic exploitation. Most such children are boys (94 per cent) of between 5 and 14 years of age, who are sometimes accompanied by their older brothers. They come from large families, are mostly of rural origin and have migrated to the city, and one out of three are orphans. They sleep in public buildings, in markets or under bridges, and generally live in groups. Very few attend school (8 per cent), although more than one in three have attended but dropped out during the first cycle of basic education. Most children perform paid work to feed themselves, and possibly their families. They are confronted with drugs, racketeering and violence.

8.1.4 *Economic exploitation (paid work on plantations or in quarries)*

178. The results of a national survey on child labour in Mali carried out by the National Directorate for Statistics and Information Technology in 2011 led the Government to adopt a National Plan of Action for the Elimination of Child Labour (2011–2020). In a first phase, between 2011 and 2015, the plan aimed to eliminate the worst forms of child labour, which include slavery, forced recruitment for use in armed conflict or prostitution and trafficking. During a second phase running from 2016 to 2020, it aimed to eliminate unauthorized forms of child labour, such as work which, by its nature, is likely to harm the health, safety or morals of children.

8.1.5 *Trafficking in children*

179. Child trafficking was experienced by 8.8 per cent of respondents. The phenomenon affected children living in urban areas (12.7 per cent) more than those in rural areas (7.0 per cent). The relatively small proportion of children who were victims of trafficking should not obscure the true scale of the phenomenon, which paints a much bleaker picture. Out of a total of 312 child migrants during the period 2009–2012, an average of 78 benefited from reintegration measures.

Table 10

Child migrants, including victims of trafficking, identified and cared for between 2009 and 2012

<i>Description</i>	<i>Years</i>				<i>Total</i>
	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	
Children identified in another country and reintegrated in Mali	53	33	14	4	104
Children identified in Mali and reintegrated in another country or in Mali	20	13	140	35	208
Total	73	46	154	39	312

Source: National Directorate for the Promotion of the Child and the Family, Report, 2012.

8.1.6 *Sexual exploitation*

180. This practice is covered and punishable under article 228 of the Criminal Code and article 64 of the Child Protection Code. Of the country's children, 8 per cent, and four times as many in urban areas (16.5 per cent) as in rural areas (4.1 per cent), are affected by the phenomenon. When their rights in this area are violated, 75.7 per cent of children, including 77.6 per cent in rural areas and 71.6 per cent in urban areas, claim not to have issued a complaint. This attitude points to the problem of the ineffectiveness of information and awareness-raising campaigns on this subject.

8.1.7 *Child victims of gender-based violence*

181. Between January and December 2012, the gender-based violence subgroup recorded almost 6,000 cases of violence affecting women and girls, including 532 cases of sexual violence, 521 cases of physical assault, 827 cases of psychosocial violence, 1,201 cases of

denial of resources and 1,233 cases of violence related to traditional practices (such as forced marriage and female genital mutilation). In response to these violations, more than 2,300 people received medical or psychosocial care and 600 households in Bamako and Mopti received support in the form of a cash transfer.

8.1.8 Harmful traditional practices

Female genital mutilation/excision

182. According to the fifth demographic and health survey, the prevalence of female genital mutilation/excision in women aged 15–49 years is 91 per cent in the five southern regions of Kayes, Koulikoro, Sikasso, Ségou and Mopti and the Bamako District. Owing to the security situation, the fifth demographic and health survey did not cover the northern regions (Gao, Timbuktu, Kidal), where prevalence is low.

Table 11

Prevalence of female genital mutilation/excision in the three demographic and health surveys in Mali (ages 15–49), by region

Regions	Prevalence of female genital mutilation/excision		
	Third survey, 2001	Fourth survey, 2006	Fifth survey, 2013
Bamako	92.8%	92.6%	90.4%
Kayes	97.7%	98.3%	94.7%
Koulikoro	99.0%	97.4%	94.3%
Sikasso	96.6%	94.7%	90.9%
Ségou	94.6%	92.2%	89.2%
Mopti	87.5%	75.4%	88.4%
Timbuktu	NA	44.0%	NA
Gao	NA	1.8%	NA
Kidal	NA	0.9%	NA
Gao, Timbuktu, Kidal	33.6%	15.6%	NA
Nationwide	91.6%	85.2%	91%

183. Prevalence among girls aged 0–14 years was 69 per cent in 2012–2013 according to the fifth survey, compared with 74 per cent in the same age group in 2010.

184. Since 2003, the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children has observed 6 February as the International Day of Zero Tolerance for Female Genital Mutilation. For the past decade, Mali has been commemorating this day with a variety of appropriate themes aimed at drawing the attention of the highest authorities and the general public to the problem of excision, in order to encourage the abandonment of female genital mutilation practices throughout the country and help build support among young people and communities for the abandonment of excision.

185. The media support all of the awareness-raising, advocacy and training activities of the National Programme to Combat Excision and its partners. The Ministry of Health and its decentralized facilities have also worked to provide care when complications arise as a result of the practice of excision.

186. Between 2010 and 2013, 1,152 health and social workers received training to improve the medical, psychosocial and legal care provided to female genital mutilation/excision survivors.

187. In addition, 1,277 medical kits were delivered to 24 health facilities in 2011, improving the medical treatment of complications arising from female genital mutilation/excision. Between 2010 and 2013, 1,767 girls and women survivors of complications arising from excision received medical treatment in Kayes, Koulikoro and Bamako.

188. Between 2008 and 2013, an integrated communication strategy that made use of forum theatre, mobile digital cinema and interpersonal communication helped raise awareness of the harmful effects of female genital mutilation/excision, the links between excision and reproductive health issues and the relationship between excision and children's and women's rights, reaching 8,585,575 people.

189. In 2008, following strong advocacy by the PACTE group of 48 NGOs, a bill specifically penalizing the practice of excision was submitted to the Law Commission of the National Assembly. This significant result has helped to change people's behaviour. Between 2008 and February 2012, 1,042 village communities signed local agreements or made public declarations announcing that they were abandoning the practice of excision.

190. On 24 November 2010, the Government adopted a national policy document, together with a national action plan to promote the abandonment of female genital mutilation/excision for the period 2010–2014.

Early or forced marriage

191. According to the multiple indicator cluster survey conducted in 2010, 14 per cent of females married before reaching 15 years of age, and 61 per cent before reaching 18 years of age. At the time of the survey, almost 40 per cent of females between 15 and 19 years of age were married or in a union. Regardless of age, early marriage was more widespread in rural than in urban areas and was more frequently recorded among females with a higher level of education than among those with none at all.

8.1.9 *Child victims of armed conflict*

192. The armed conflict that has rocked Mali is taking place against the backdrop of a food crisis that blighted the Sahel since the end of 2011, affecting a reported 4.6 million people across the country. Food insecurity was already experienced by some 1.6 million people affected by the armed conflict.

Child victims of armed conflict who have received psychological support

193. The deterioration in the security situation from January 2012 onwards saw the country's three northern regions and part of the Mopti region occupied by armed groups, resulting in a massive displacement of people both within and outside of the country. This situation also led to the looting and closure of some health facilities. Psychosocial support services provided in response to the effects of the conflict reached more than 40,000 children, especially in the particularly hard-hit northern regions. However, more work is still needed on account of the many needs that remain unmet.

Child victims of armed conflict who have received educational services

194. An estimated 800,000 school-age children in Mali do not attend school, due to financial difficulties, illness or geographical obstacles. Equal access to education for girls remains one of the main challenges that needs to be overcome. The current crisis has only exacerbated the situation, creating a mobile population of internally displaced schoolchildren who attend overcrowded and underequipped classrooms.

195. In the north, some 560,000 school-age children were unable to attend school in 2012. Children displaced with their families needed to be enrolled in new schools. Tracking the movements of displaced schoolchildren through the communities and schools that received them was crucial to providing support strategically and effectively.

196. UNICEF joined forces with several partners to provide school supplies, in particular exercise books, pens, recreational equipment and hygiene kits, to 10,537 internally displaced schoolchildren in the north. UNICEF also supported the learning of some 4,600 Malian schoolchildren in the Niger and Mauritania by sending textbooks to refugee camps in those countries. As part of a wide-ranging campaign to enable children affected by the crisis to sit their end-of-year exams, UNICEF helped organize support classes in the Mopti and Ségou regions, as well as in Bamako. This enabled a total of 7,718 pupils in their final year of

primary education to take remedial classes in core subjects and sit the exams required to enter secondary education.

Table 12
Proportion of internally displaced children, by sex and age in 2012

<i>Internally displaced persons</i>			<i>Internally displaced children</i>			<i>Internally displaced schoolchildren</i>			<i>Internally displaced children aged 0 to 5</i>
<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	
66 415	68 277	134 692	14 967	17 578	33 144	8 248	8 562	16 810	11 871

Source: National Directorate for Social Development, annual report, 2012.

Children associated with armed forces and groups

197. Armed groups recruited, trained and used several hundred children in their forces beginning with the occupation of northern Mali in April 2012. Many children, generally of between 12 and 16 years of age, were reported in the ranks of armed groups, but their exact number was never confirmed, as it was not possible to physically gain access to the various sites to check and confirm the number and age of the children. According to Human Rights Watch, children began to be recruited into armed groups shortly after the takeover of the three main regions in the north of Mali. According to the Malian Coalition for the Rights of the Child, children were exploited for military and ideological ends. Most of the children involved with armed groups were from Mali, but others were believed to come from the subregion, in particular the Niger.

Table 13
Number of refugees seeking asylum in Mali in 2012

<i>Sex</i>	<i>Age range</i>					<i>Total</i>
	<i>0-4</i>	<i>5-11</i>	<i>12-17</i>	<i>18-59</i>	<i>60 and above</i>	
Female	1 409	1 815	1 162	2 287	158	6 831
Male	1 579	1 893	1 179	2 480	206	7 337
Percentage female	47.2	48.9	49.6	48.0	43.4	48.2
Total	2 988	3 708	2 341	4 767	364	14 168

Source: Planning and statistics unit of the local government, civil service and internal security sector Statistical yearbook, 2012.

8.1.10 *Use of narcotic drugs by children in Mali*

198. Mali is becoming a hub for the trafficking of narcotic drugs such as Indian hemp and cocaine, etc. This presents a danger to the population in general and to children in particular. To gain a better understanding of the issue and its impact on children, and to better inform strategies for action, a survey on drug and alcohol abuse and addiction among children and adolescents in Mali was carried out in 2009, giving an idea of the scale of the problem.

Table 14⁵
Situation of children who admit to having used drugs at least once, by sex

<i>Sex</i>	<i>Number</i>	<i>%</i>
Boys	149	72
Girls	53	25.6
NA	5	2.4
Total	207	100

⁵ *Source:* National Centre for Documentation and Information on Women and Children, Report on the survey on drug and alcohol abuse and addiction among children and adolescents in Mali.

Table 15
Prisons with juvenile and women's units

Region	Prison		
	Total	With unit	% with unit
Kayes	8	4	50.00
Koulikoro	11	4	36.36
Sikasso	9	3	33.33
Ségou	10	2	20.00
Mopti	8	1	12.50
Timbuktu	5	1	20.00
Gao	4	1	25.00
Kidal	1	1	100.00
Bamako	3	2	66.67
Overall	59	19	32.20

Source: Justice planning and statistics unit, annual report, 2012.

8.1.11 Humanitarian situation

199. According to United Nations statistics, 175,000 children under 5 years of age were suffering from severe acute malnutrition in Mali in 2012. UNICEF put the total number of children affected by this food crisis between 2012 and 2013 at 560,000. In addition, growing insecurity due to the presence of armed groups in the north of the country led to the closure of local and cross-border markets, resulting in a drop in supplies, a sharp rise in prices and the disruption of transhumance movements.

200. Humanitarian coordination was organized and continued to improve in the central regions. Twelve assessments were carried out in the centre and north of the country to determine the needs of the affected populations. The biggest concerns of the emergency response included the lack of information and inadequate access to services. Overall, despite the volatile nature of the situation, assistance increased in other regions.

201. In 2012, humanitarian actors provided food aid to more than 1.4 million people in support of government efforts to combat food insecurity.

8.2 Constraints and limits

202. The legal framework protecting the most vulnerable children is subject to the following major constraints:

- Major legal loopholes remain where certain forms of abuse are concerned, in particular excision.
- The public and professionals are underinformed about children's rights, the legislation that applies to them and the legal and social remedies to which they are entitled.
- The mechanisms of the juvenile justice system remain weak, in particular due to an insufficient number of juvenile judges, and the capacity of facilities providing care and assistance to children remains low.

8.3 Way forward

203. The way forward for child protection, in particular that provided to children in need of special protection measures, is covered in the National Policy for the Promotion and Protection of Children and its action plan, as well as the revision of the Child Protection Code.

204. The guidelines that are currently being adopted as part of the National Policy for the Promotion and Protection of Children revolve around child protection in general and the protection of children in difficult circumstances or vulnerable children in particular. The National Policy aims inter alia to:

- Increase children's access to basic social services, taking the most vulnerable into account
- Strengthen the role of the family, the community, local authorities and other stakeholders in children's education
- Strengthen advocacy, information, awareness-raising and communication mechanisms to encourage the abandonment of sociocultural practices that are detrimental to children's development

205. These objectives are fully in line with national development programmes, which have a positive impact and help to improve the situation of children.

206. The revision of the Child Protection Code will allow improvements to be made, for example taking into account the changes made to Act No. 01-081 of 24 August 2001 on the criminal responsibility of minors and the establishment of juvenile courts, and incorporating the protection of children in emergency situations.

Part II

Follow-up to the concluding observations of the Committee on the Rights of the Child

207. At the end of its examination of the second report of Mali on the implementation of the Convention, the Committee on the Rights of the Child drew the State party's attention to a number of points on which it had made recommendations. Progress has been made since then through the implementation of policies and programmes. The progress described in the previous section makes it possible to determine the effect of these concluding observations.

1. Follow-up to the recommendations

208. An action plan to follow up on the Committee's recommendations was drawn up; it takes into account the concluding observations of the second report.

2. The State party's reservations to the Convention on the Rights of the Child

209. In terms of reservations to certain articles of the Convention, Mali has no reservation to article 16.

3. Adoption, application and dissemination of legislation for the promotion and protection of children

210. The Government of Mali has continued to strengthen and implement its awareness-raising and information programmes for stakeholders, with a view to ensuring that the principles set out in the Convention are considered in their decisions and actions. These programmes have involved stakeholders in the various fields of child promotion and protection: health, development, family promotion, education, justice, security, etc.

211. The Child Protection Code is currently being reviewed, with the aim of further strengthening measures and encouraging private initiatives for establishing child protection facilities.

212. The Persons and Family Code was promulgated on 30 December 2011.

213. Act No. 07-016 of 26 February 2007, amending the law on criminal responsibility of minors and the establishment of juvenile courts, created a post of special public prosecutor for juvenile courts. A special public prosecutor has been attached to the Bamako Juvenile Court since 2008. To date, 53 juvenile courts have been created. This has strengthened the protection of children who are victims of and/or witnesses to violence.

214. Mali adopted the Growth and Poverty Reduction Strategic Framework for 2012–2017, which encompassed all sectoral programmes, in particular those concerning children.

4. Programme coordination

215. The Mali-UNICEF Cooperation Programme for 2008–2012 has been the national frame of reference dedicated exclusively to children. However, a document on the National Policy for the Promotion and Protection of Children in Mali and its action plan, which provides for the strengthening of the human, material and financial resources of the policy's coordinating and monitoring bodies, is currently being adopted. For the time being, a Steering Committee and Sectoral Committees are in place to follow up on the Mali-UNICEF Cooperation Programme.

216. Mali receives bilateral and multilateral aid, notably from the United Nations system, to finance its policies and programmes for children.

5. Independent monitoring mechanism

217. In order to reinforce the independence of the National Human Rights Commission, its founding text was redrafted through Act No. 09-042 of 19 November 2009, which repealed Decree No. 06-117/P-RM – the document that initially established the Commission. As a result, the Commission is no longer under the supervision of the Ministry of Justice, and its mission has been strengthened.

6. Resources dedicated to children

218. From 2005 to 2011, all sectors concerned with children saw their budgets increase, especially education, where it rose from 15.4 per cent in 2005 to 36 per cent in 2012.

7. Data collection

219. An experimental phase is under way for the collection and centralization of data on child protection, which will be expanded to the national level. The manager of the women/children database is a member of the National Steering Committee for the Statistical Master Plan, under the leadership of National Institute of Statistics. The creation of planning and statistics units in all sectors means there is now an effective tool for collecting data on children.

8. Dissemination of the Convention

220. Children's rights days: the International Day of Zero Tolerance for Female Genital Mutilation (6 February); International Day of Families (15 May); Day of the African Child (16 June); World Children's Day (November 20) and International Children's Day of Broadcasting (second Sunday in December) are regularly celebrated in Mali, and provide an exceptional opportunity to raise awareness of these rights and lobby the highest authorities to adopt measures to improve the situation of children in the country, especially those in difficult circumstances. Therefore, with the aim of (i) strengthening political advocacy and partnership around the issues of children's and women's rights in Mali; and (ii) developing a communication strategy for behavioural change among the various target groups who have rights or obligations at all levels, in 2009 the Ministry for the Advancement of Women, Children and the Family carried out a knowledge, attitudes and behaviours study on children's and women's rights in Mali. Campaigns were organized to disseminate its results to stakeholders, women and children at all levels.

9. Cooperation with civil society

221. The Malian Coalition for the Rights of the Child is a key partner of the Government in the development and implementation of policies and programmes.

10. International cooperation

222. Partnership,⁶ which falls under Millennium Development Goal 8, is of particular importance within the United Nations mechanisms for cooperation with Governments. The

⁶ Mid-term review of the United Nations Development Assistance Framework, 2008–2012.

Accra Agenda for Action emphasizes the diversification of partnerships involving parliamentarians, the private sector, civil society and non-traditional partners.

223. The United Nations Development Assistance Framework strategy is based on the consolidation and development of strong partnerships involving the Government, United Nations agencies, NGOs, bilateral and multilateral partners and non-traditional partners such as the Bill and Melinda Gates Foundation and Millennium Promise. Various types of partnership agreements have been established. Among the most important are agreements with civil society organizations in the field of child survival and the letter of understanding between the Government and the United Nations for capacity-building, and the operationalization of the Malikunnafoni socioeconomic database to monitor the Growth and Poverty Reduction Strategy and the 10-year plan for the Millennium Development Goals. The United Nations system also plays a key role among the coordinating bodies for national development programmes.

11. Definition of the child

224. In its recommendations issued after consideration of the second periodic report, the Committee urged the State party “to take every feasible measure to speed up the process of legislative reform in order to ensure equality between the age of marriage for girls and boys”. The implementation of this recommendation, which was expected with the adoption of the Persons and Family Code, was not achieved. Indeed, the Code sets the minimum age for marriage in Mali at 16 years for girls and 18 years for boys.

12. Non-discrimination

225. The Government of Mali adopted a national policy on education in August 2000 with a view to reducing the gap between girls and boys in terms of school enrolment.

226. By adopting Act No. 09-015 of 26 June 2009 establishing a compulsory health insurance scheme, Mali aimed to cover the health-care costs for sickness and maternity for insured persons and their dependent family members. Under this law, the following children are considered dependent family members of an insured person (art. 8):

- Children born from the insured person’s marriage
- The insured person’s children born prior to the marriage
- Children born to the insured person’s wife from a previous marriage, in the event of a death duly registered with the civil registry or a divorce pronounced by a court. However, in the latter case, children are not entitled to coverage if they remain dependent on the first husband or if he contributes to their maintenance
- Children adopted by the insured person or fully adopted
- In accordance with the provisions of the Persons and Family Code, children legally recognized by the insured person

227. The national care strategy for orphans and vulnerable children ensures integrated care for orphans and vulnerable children with HIV/AIDS by creating a favourable legal, socioeconomic and cultural environment.

13. Respect for the views of the child

228. In addition to the experience of the Children’s Parliament and children’s clubs, Mali is developing the “Child-Friendly, Girl-Friendly School” approach. Pupils, especially girls, participate in school life through children’s governments. Members of the children’s government are appointed on the basis of the realities and needs of the school.

229. In 2009,⁷ the Ministry for the Advancement of Women, Children and the Family, in collaboration with the Mali-UNICEF programme, organized a photographic workshop to commemorate the twentieth anniversary of the Convention. Twenty girls and boys from different social backgrounds, aged from 10 to 17, were selected from the Association des

⁷ UNICEF note on the photographic workshop, 2009.

Enfants et Jeunes Travailleurs (Children's and Young Workers' Association). In the first workshop of its kind in Mali, the young people worked together for two weeks under the guidance of an international photographer, Giacomo Pirozzi, to learn photography and prepare an exhibition. The "Décllic" photography exhibition, created by children and supported by UNICEF, was presented at the Palais de la Culture as part of the eighth African Biennale of Photography.

14. Nationality

230. Article 219 of the Persons and Family Code specifies that the provisions relating to nationality contained in international treaties and agreements duly ratified by Mali and published are applicable. With regard to nationality of origin, article 224 of the Code stipulates that a child born of a Malian father or mother, if the other parent is a foreigner, is Malian, whether born in Mali or abroad, unless he or she renounces Malian nationality within six months of coming of age, in accordance with articles 255 and 256 of the Code (Persons and Family Code, art. 224 (5)).

15. Birth registration

231. The National Directorate for the Civil Registry was established to strengthen the capacity to develop and modernize the civil registry, set up a permanent structure to manage elections and develop partnership activities with civil society. The Directorate is continuing to implement its programme to modernize civil status services such as birth registration, through a number of initiatives:

(a) The adoption of a civil status registration system with a legislative and regulatory framework, within a context of decentralization, good governance and better enforcement of civil status laws;

(b) Implementation of the civil status database through: (a) the acquisition of computers and software; (b) computer system management; (c) computer network maintenance; and (d) personnel management of the Civil Status Consolidation Support Mission;

(c) Capacity-building of civil registry registrars through: (a) development and implementation of a training plan for civil registry staff; (b) development of training modules and preparation of a general training manual; and (c) stakeholder training; and

(d) Improving access to civil registry services by: (a) increasing the number of staff responsible for registering births to one per village, hamlet or district; and (b) the regular supply of equipment needed to record events.

16. Corporal punishment

232. The national legislative framework guarantees the right to free education and protection. Corporal punishment was banned by a ministerial order in 1994. Sexual violence is punishable under the Criminal Code. School regulations provide a broad framework for relations between teachers and pupils and prohibit corporal punishment. A code of ethics for teachers and school staff has been drawn up but has yet to be disseminated nationwide. In terms of protection, the 2006–2011 action plan to combat violence against women and girls set out several strategies and actions to combat violence against girls in schools.

233. National education policies (the 10-Year Programme for the Development of Education and the Education Sector Development and Investment Programme), which aim to increase school enrolment and success, began to recognize the issue of school violence in relation with girls' education through the third Education Sector Development and Investment Programme (2010–2012).

17. Alternative care

234. The Government of Mali has undertaken an institutional reform of the National Policy to Combat AIDS. Following this reform, it adopted a national policy on the care of orphans and other children at risk due to HIV/AIDS, whose vision is to ensure integrated care for

orphans and vulnerable children with HIV/AIDS through the creation of a favourable legal, socioeconomic and cultural environment.

18. Adoption

235. Article 540 of the Persons and Family Code prohibits foreigners from adopting Malian children. This provision could explain the current overcrowding of care facilities.

236. The Government has already recognized the limits of this measure. Therefore, actions are planned to strengthen preventive measures on the one hand, and the mechanism for caring for abandoned children on the other, by training stakeholders and reorganizing family placement services. A redrafting of the Code, to reverse the ban on adoption by foreign nationals, is now a priority for the highest political authorities.

19. Abuse and neglect

237. Under Malian law, there are specific penalties for offences committed against minors of either sex. For other offences, the fact that the victim is a minor constitutes an aggravating circumstance.

238. Article 325 of the Criminal Code deals with failure or gross negligence in the supervision of minors, stipulating that parents, guardians or custodians who are found to have failed or been grossly negligent in the supervision of minors in their care are subject to a fine of 300 to 18,000 francs and possible imprisonment for 1 to 10 days.

239. Under article 207 of the Criminal Code, physical violence is defined as all acts committed against another person, such as injuries and blows, which affect the latter's physical integrity. Article 56 of the Child Protection Code provides further details on this subject, listing the acts considered to be "habitual ill-treatment" against which the child must be protected. These include torture, repeated violations of physical integrity, deprivation of food and any act of brutality. However, the Criminal Code does not provide for penalties for the perpetrators of such acts. It should also be noted that in terms of penalties, Malian law makes no distinction between minors and adults who are victims of physical violence.

240. In Mali, there is a mechanism for caring for child victims of violence, abuse, exploitation and neglect. In this area, with a view to harmonizing activities, the National Directorate for the Promotion of the Child and the Family, in collaboration with UNICEF, has drawn up a procedural guide for the management of children who are victims of violence, abuse, exploitation and neglect. This service covers the following areas:

- Health and nutritional/dietary support
- Educational support
- Socioeconomic support
- Legal and judicial support
- Psychological support

20. Implementation of the recommendations made in the United Nations study on violence against children

241. The recommendations made in the report by the Independent Expert for the United Nations study on violence against children have been taken into account in training modules and when defining the lines of action of programmes and action plans for the promotion of children.

242. No studies looking specifically at violence against children have been conducted at the national level. However, the issue has been addressed in certain national studies including the demographic and health survey and, above all, the study on knowledge, attitudes and behaviours in relation to women's and children's rights, one of the specific objectives of which was to measure the actual level of rights-related knowledge among children, women and parents and to determine the attitudes and behaviours prevalent within families with regard to the essential rights of women and children.

21. Children with disabilities

243. The National Directorate for Special and Preschool Education, created by Act No. 2011-001 of 29 April 2011, is responsible for developing and coordinating the national policy in this area.

244. It has two policy documents:

- The National Early Childhood Development Policy, supported by an action plan for 2011–2013, for which 8 billion CFA francs (CFAF) was earmarked
- The National Special Education Policy, also supported by a three-year action plan for 2011–2013, for which CFAF 8.25 billion was earmarked.

22. Health and health services

Table 16

Population's access to community health centres, 2009–2012 (percentage)

Year	Percentage with access to a centre within a radius of 5 km	Percentage with access to a centre within a radius of 15 km
2009	57	88
2010	58	89
2011	59	90
2012	56	85

Source: National Directorate for Health, Local Health Information System Statistical Yearbook, 2012.

245. In 2012, there was a decline in the percentage of the population having access to a community health centre. This could be explained by the destruction of several health centres during the occupation of the northern regions following the political and security crisis.

23. Harmful traditional practices

Female genital mutilation

246. The prevalence of female genital mutilation among women between 15 and 49 years of age is 89 per cent. The prevalence of the practice does not vary depending on the area of residence (89 per cent in urban areas, compared with 88 per cent in rural areas).

247. To support the National Programme to Combat the Practice of Female Genital Mutilation, in 2010, the Government of Mali adopted a policy document and an action plan for 2010–2014 to combat the practice. Action is under way to adopt a specific law to combat female genital mutilation. Unlike a number of neighbouring countries, Mali does not yet have legislation expressly prohibiting it.

248. In 2003, 6 February was institutionalized as a day against female genital mutilation, and, since then, Malian actors have been using the day to raise awareness of the phenomenon among decision makers and the public. These efforts have produced significant results in changing people's behaviour. In 2011, 385 villages thus signed an agreement to end female genital mutilation.

Early or forced marriage

249. According to the multiple indicator cluster survey conducted in 2010, 14 per cent of women marry before they reach 15 years of age, and 61 per cent do so before reaching 18 years of age. At the time of the survey, almost 40 per cent of women aged between 15 and 19 years were married or in a union.

250. The Government began drafting a policy document and a supporting action plan in 2008. This document, whose adoption could not be ensured, continues to serve as a reference source for the information and awareness-raising activities of relevant actors.

24. Adolescent health

251. Policies and programmes are being implemented to support adolescents, particularly in the areas of reproductive health and family planning and the building of life skills.

25. HIV/AIDS

252. The Government of Mali adopted a national policy to combat HIV/AIDS on 7 April 2004. Since then, progress has been made towards meeting the Committee's recommendations. Such progress includes:

- Free antiretroviral treatment
- The adoption of a policy on the care of orphans and other children vulnerable to AIDS
- Increased access to contraceptives

26. Standard of living

253. The 2012–2017 Growth and Poverty Reduction Paper promotes children's rights more comprehensively, as it includes child protection among its priority focuses.

254. The following results have been achieved through the implementation of the programme to ensure education for all by 2015:

- The net enrolment rate in the first cycle of basic education increased from 56.7 per cent in 2005 to 62.1 per cent in 2011.
- The dropout rate in the first cycle of basic education fell from 4.6 per cent in 2006 to 2.7 per cent in 2011.
- The parity index was 0.8 in 2011.
- The share of the national budget earmarked for education rose from 15.4 per cent in 2005 to 36.0 per cent in 2011.
- The number of teachers in the first cycle of basic education increased from 46,950 in 2010 to 50,553 in 2011.

27. Children in street situations/children who beg

255. There is, as yet, no national study specifically on children in street situations.

28. Economic exploitation, including child labour

256. Following on from the National Programme to Combat Child Labour, two other national programmes have been implemented:

Support for the Time-Bound Programme for the Elimination of Child Labour

257. This programme, which was launched in 2007, is a comprehensive and integrated framework for combating child labour. The programme of direct action focuses on the rapid elimination of the worst forms of child labour, drawing on the experience acquired through the National Programme to Combat Child Labour. It aims, inter alia, to:

- Provide the Government and relevant partner organizations with the mechanisms necessary to earmark sufficient human and financial resources for the design, implementation and monitoring of initiatives addressing the worst forms of child labour, through a time-bound, national programme
- Strengthen, disseminate and implement the legislative framework prohibiting the worst forms of child labour
- Provide the Government and its partners with suitable mechanisms for the collection, analysis and updating of data on child labour

Project to Combat Child Labour through Education

258. This project, which was launched in 2008, aims inter alia to:

- Provide the Government of Mali and relevant partner organizations with the mechanisms necessary to earmark sufficient human and financial resources for the design, implementation and monitoring of initiatives addressing the worst forms of child labour, through a time-bound, national programme
- Strengthen, disseminate and implement the legislative framework prohibiting the worst forms of child labour
- Provide the Government of Mali and relevant partners with suitable mechanisms for the collection, updating, analysis, storage and active use of data on child labour

259. Actions to implement the programmes include:

- Improving the situation of children working on gold mining sites
- Improving the situation of children working in garages and the metal and wood sectors in Bamako District
- Strengthening the organizational capacities of associations and groups of working children
- Conducting a survey among girls working in hotels, bars and restaurants in Bamako District

29. Sexual exploitation and prostitution

260. Combating sexual exploitation is an integral part of child protection efforts in Mali. A study is currently being conducted to improve understanding of the phenomenon. In the meantime, action is being taken to prevent sexual exploitation and protect victims. It involves communication and advocacy, and also the adoption and implementation of victim assistance measures.

30. Trafficking in children

261. As part of the fight against trafficking, action has continued to be taken in the areas of coordination, follow-up of bilateral and multilateral agreements, repatriation and support for children who have been repatriated or intercepted. Special efforts have been made to strengthen the system of community surveillance by creating and providing support for at least 450 community surveillance organizations.

31. Juvenile justice

262. Act No. 01-081 of 24 August 2001 on the criminal responsibility of minors and the establishment of juvenile courts incorporates the provisions of the Convention on the Rights of the Child relating to juvenile justice. The act provides a child-centred legal framework for juvenile justice. The Child Protection Code fully incorporates these provisions, while also introducing new provisions contained in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, which form part of the same framework as two other sets of rules governing juvenile justice that have been adopted: the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the United Nations Guidelines for the Prevention of Juvenile Delinquency.

32. Optional Protocols to the Convention on the Rights of the Child

263. In its concluding observations on the second report of Mali under the Convention on the Rights of the Child, the Committee encouraged the Malian Government to submit its initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, which were due in June 2004.

264. These initial reports have not yet been submitted. Action is planned to ensure that as soon as the present report has been submitted, the initial reports under the aforementioned

Optional Protocols will be drafted. However, in the meantime, steps are being taken to implement the Optional Protocols in full.

Conclusion

265. The present report, despite the delay in its submission, demonstrates that the Government of Mali continues to comply with its obligation to produce periodic reports on the implementation of the Convention on the Rights of the Child.

266. As with previous reports, an analysis of the present report confirms that progress has been made in the areas of child survival and school enrolment. However, it should be noted that the same challenges recur, particularly in combating violence against children.

267. The 2012 crisis in Mali not only exacerbated violent practices, but also revealed the limitations in the technical and organizational capacity of the Government and its partners to deal with emergency situations. The purpose of the reflections and actions under way is to draw lessons from these shortcomings, which are part of the challenges faced.

268. Mali remains convinced that the effective application of the provisions of the Convention on the Rights of the Child is essential for ensuring children's well-being. The current national development policies and programmes are consistent with this vision.
