



General Assembly

Distr.: General
25 January 2023
English
Original: English/French

Human Rights Council
Working Group on the Universal Periodic Review
Forty-third session
1–12 May 2023

Mali

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Human Rights and Protection Division of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), has been present in the country since 2013. In addition to Bamako, it has offices in five other regions.²

3. OHCHR expressed concern that the authorities had still not granted United Nations human rights investigators access to places where summary executions and other serious human rights violations allegedly had taken place.³ OHCHR called upon the transitional authorities to ensure that the investigations into such incidents were timely, thorough, independent and impartial.⁴ The Independent Expert on the situation of human rights in Mali urged the transitional authorities to grant unhindered access to the Human Rights and Protection Division of MINUSMA, so that it could conduct a thorough investigation to shed light on allegations of serious human rights violations, in accordance with the mandate of the Security Council.⁵

4. The United Nations country team recommended strengthening cooperation with the Human Rights Council special procedure mandate holders and accepting their requests for visits, continuing to cooperate closely with international organizations and human rights mechanisms and ensuring that pending human rights reports were submitted on time.⁶

5. The Secretary-General indicated that MINUSMA had continued to face restrictions on movement and access, including air restrictions, and that restrictions had delayed the Mission's response to the early warning alert in Tin Hama.⁷



III. National human rights framework

1. Constitutional and legislative framework

6. The United Nations country team reported that legislative reforms were ongoing and recommended finalizing the process of reviewing the Criminal Code, the Code of Criminal Procedure and the law on military justice. It also recommended that the transitional authorities ensure compliance with the schedule for the various elections in order to restore constitutional order.⁸

2. Institutional infrastructure and policy measures

7. In 2022, the Committee on Enforced Disappearances welcomed the reaccreditation with category A status of the National Human Rights Commission by the Global Alliance of National Human Rights Institutions.⁹ However, the United Nations country team highlighted the Commission's ongoing difficulties with establishing a presence throughout the country owing to its very limited budget.¹⁰ The Committee recommended ensuring that the Commission had the financial, technical and human resources necessary for it to adequately carry out its work throughout the national territory and promoting awareness of the Commission and its competencies among the general public and national and local authorities.¹¹

8. The Committee on Economic, Social and Cultural Rights recommended increasing the availability of domestic resources, including by continuing to review tax exemptions, such as those granted for the exploitation of natural resources, with a view to raising the level of public spending for the progressive realization of economic, social and cultural rights, and ensuring that all budget proposals were prepared in a transparent and participatory manner.¹²

9. The Committee on Enforced Disappearances recommended providing the national mechanism for the prevention of torture with the material and human resources necessary for it to carry out its preventive mandate effectively.¹³

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

10. The Committee on Economic, Social and Cultural Rights recommended adopting a comprehensive anti-discrimination law, in line with the International Covenant on Economic, Social and Cultural Rights, which prohibited direct and indirect discrimination on any grounds, ensuring effective remedies for victims of discrimination and effectively preventing and combating discrimination against disadvantaged or marginalized persons or groups, such as ethnic minorities.¹⁴

2. Right to life, liberty and security of person, and freedom from torture

11. The United Nations country team indicated that the death penalty remained in the Criminal Code.¹⁵ The Independent Expert recommended giving effect to the recommendations made as part of the 2018 universal periodic review by abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.¹⁶

12. Noting that a strategy for security sector reform had been adopted in April 2022, the United Nations country team recommended ensuring its effective implementation in close coordination with all relevant State institutions and Malian civil society.¹⁷

13. The Committee on Enforced Disappearances was concerned about the large number of allegations of enforced disappearance.¹⁸ It invited Mali to establish enforced disappearance

as a separate offence in the Criminal Code, in accordance with the International Convention for the Protection of All Persons from Enforced Disappearance.¹⁹

14. The Independent Expert indicated having met victims with visible signs of torture on their bodies.²⁰ The Committee on Enforced Disappearances was concerned about reports that the National Human Rights Commission was not always granted access to all places of deprivation of liberty. It recommended that Mali ensure that all authorized actors had effective access to all places of deprivation of liberty, whether official or unofficial, and that the Commission, in its capacity as the national torture prevention mechanism, was able to fulfil its inspection mandate freely and without hindrance.²¹

15. The Independent Expert recommended giving the independent mechanisms unrestricted access to places of detention run by intelligence services, ensuring independent, effective and impartial investigations into all allegations of human rights violations involving members of the intelligence services and revising ordinance No. 2021-013/PT-RM of 1 October 2021 establishing the National State Security Agency to bring it into compliance with relevant international instruments and standards.²²

16. The Independent Expert recommended continuing to support local initiatives and efforts for peace, prevention, mediation and conflict resolution, dialogue and reconciliation, including through the use of traditional peacebuilding mechanisms, in order to enable Mali to emerge from the vicious cycle of intercommunal conflict and achieve a just and lasting peace in the country.²³

3. International humanitarian law

17. The Secretary-General noted the persistence of alleged violations and abuses of international human rights law and humanitarian law, and also noted that MINUSMA had documented alleged violations attributed to the Malian Defence and Security Forces,²⁴ notably in connection with military operations, and that most of them had occurred in the central regions.²⁵ The Independent Expert noted that the failure of State institutions, or their absence, in several towns increased the threat and attacks on civilians by violent extremist groups.²⁶ He recalled that Mali had an obligation to take measures to prevent and punish human rights violations and abuses committed by State and non-State actors.²⁷ OHCHR emphasized the urgent need to support the restoration of State authority throughout Mali.²⁸

18. The Independent Expert was concerned about the continued attacks against humanitarian workers, and their impact on the population, and recalled that the perpetrators of such acts should be brought to justice.²⁹

4. Human rights and counter-terrorism

19. The Independent Expert was informed of allegations of human rights violations committed in the context of counter-terrorism operations conducted by the Malian defence and security forces, including summary executions, enforced disappearances, torture, ill-treatment and arbitrary arrests.³⁰

20. The Committee on Enforced Disappearances was concerned about allegations that certain persons were being held illegally in unofficial places of deprivation of liberty. It recommended ensuring that persons deprived of their liberty were held solely in officially recognized and supervised places of deprivation of liberty at all stages of the proceedings.³¹

21. The Secretary-General indicated that MINUSMA had continued to be denied access to people arrested by the Malian defence and security forces in relation to military counter-terrorism operations and held in detention in Bamako, Mopti and Gao.³² He stressed that military operations, including those conducted with bilateral partners, must be carried out in compliance with international human rights law and international humanitarian law and underlined that perpetrators of violations and abuses must be held to account.³³

5. Administration of justice, including impunity, and the rule of law

22. The Committee on Enforced Disappearances was concerned about the fact that none of the investigations opened into allegations of enforced disappearance had thus far resulted

in convictions. It recommended guaranteeing the right of all victims of enforced disappearance to justice, truth and reparation and ensuring that all allegations of enforced disappearance were investigated immediately, thoroughly and impartially and that the perpetrators were prosecuted and given a sentence commensurate with the seriousness of their acts.³⁴

23. The Independent Expert was concerned about arbitrary arrests and detentions, including incommunicado detentions, attributed in particular to the Malian intelligence services.³⁵ The Independent Expert noted that the issue of illegal detention and non-compliance with judicial safeguards for arrested persons persisted, despite the fact that it had been raised several times. He hoped that concrete measures would be put into place to ensure respect for due process.³⁶

24. While welcoming that, in 2021, the Mopti Assize Court rendered its verdict against the perpetrators of the attack on the village of Koulogon-Peul, in 2019, the Independent Expert regretted that no significant progress had been made in the prosecution of alleged perpetrators of human rights violations and abuses, including those committed in the context of intercommunal violence in central Mali and those attributed to the national armed forces.³⁷

25. The Independent Expert recommended implementing the recommendations accepted by Mali during the universal periodic review in 2018, including those to ensure that all perpetrators of violations and abuses were held accountable by bringing them to justice, to put an end to violations of human rights and international humanitarian law committed by the defence and security forces by consistently investigating such violations and punishing the perpetrators, and to ensure access to justice and reparation for victims.³⁸ The United Nations country team recommended establishing and operationalizing the National Agency for Management of Reparations for Victims.³⁹

26. The United Nations country team observed that funding for the justice system was insufficient and that many courts in the centre and north of the country were dysfunctional owing to the lack of permanent justice system personnel in those regions. It recommended implementing the reforms provided for by the Policy and Planning Act for the Justice Sector and providing the necessary funding, ensuring the permanent and effective presence of judicial officials and prison staff in the centre and north of the country⁴⁰ and implementing the National Strategy for Reconciliation and Social Cohesion.⁴¹

27. The Committee on Enforced Disappearances recommended ensuring that all persons, regardless of the offence with which they were charged, had effective access to a lawyer and that, in the case of a foreign national, the consular authorities of their country were informed. It also recommended entering all cases of deprivation of liberty, without exception, in up-to-date official registers or records.⁴²

28. The United Nations country team reported on the challenges faced by national institutions and civil society regarding gender equality mainstreaming and access to justice for women. It recommended supporting access to justice for vulnerable persons, including women and young persons in regions affected by insecurity.⁴³

29. The Independent Expert emphasized that none of the perpetrators of the conflict-related sexual violence reported since 2014 had yet been brought to justice.⁴⁴ He recommended implementing the recommendations accepted by Mali during the universal periodic review in 2018, including by taking appropriate and effective measures to prevent, investigate and punish acts of violence against women, in particular sexual violence.⁴⁵

30. The Committee on Enforced Disappearances and the Independent Expert had expressed concerns about the bill on national understanding, which could promote impunity for many serious human rights violations.⁴⁶ The Independent Expert recommended that Mali review the Act on National Reconciliation and reiterate its commitment to refrain from granting amnesty to those responsible for serious crimes under international law.⁴⁷ He called upon Mali to redouble its efforts in the fight against impunity.⁴⁸

31. The United Nations country team recommended implementing the recommendations issued by the International Commission of Inquiry on Mali and establishing a follow-up mechanism for the recommendations. It also recommended applying the recommendations that would be made in the report of the Truth, Justice and Reconciliation Commission.⁴⁹

32. The Committee on Economic, Social and Cultural Rights was concerned about the persistence of corruption and recommended tackling the root causes of corruption, adopting legislative and administrative measures to ensure transparency in public administration, both in law and in practice, and effectively combat corruption and impunity of offenders.⁵⁰

33. While the Independent Expert welcomed that several individuals accused of embezzlement had been arrested and placed in detention, he would like an investigation to be opened into the allegations of misappropriation of funds intended for equipping the army.⁵¹

6. Fundamental freedoms and the right to participate in public and political life

34. The Independent Expert noted the continued shrinking of civic space, including censorship of the media and self-censorship by journalists, media professionals and civil society actors owing to fear of reprisals.⁵² He stressed that some persons, including political actors, had been prosecuted, detained and convicted for “damage to the credibility of the State and insults committed via social networks” or “offensive remarks” about public figures. He recalled the human rights obligations arising from article 19 of the International Covenant on Civil and Political Rights, to which Mali had acceded,⁵³ and recommended guaranteeing civic space by promoting the full enjoyment of the freedoms of opinion, expression, peaceful assembly and association for all, in particular civil society, rights defenders, journalists and political parties or groups, including opposition parties, while ensuring that the parties or groups could carry out their activities freely, without reprisals or harassment, and by removing from the legislation all provisions that infringed on the freedom of opinion, expression, peaceful assembly and association.⁵⁴

35. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended reviewing the regulatory framework on freedom of expression and cybercrime in order to decriminalize press offences, including in relation to online media, while ensuring its compliance with international standards. It also recommended initiating or expediting investigations into identified cases of killings of journalists in Mali, consistently reporting on the judicial action taken in response to such killings and adopting a law on access to information, to uphold the right to information.⁵⁵

36. The Committee on Economic, Social and Cultural Rights encouraged Mali to carry out awareness-raising campaigns on the importance of the work of human rights defenders, in order to create a climate of tolerance in which they could fulfil their mission, free of intimidation of any kind, and to prevent acts of violence against them.⁵⁶

7. Prohibition of all forms of slavery, including trafficking in persons

37. The Independent Expert expressed concern about the human rights violations and abuses associated with slavery and servitude, including cases of arbitrary arrest and detention of anti-slavery human rights defenders and people forced by local traditional figures to flee their villages after contesting their status as slaves.⁵⁷ The Independent Expert recommended adopting a law that specifically criminalized slavery and conducting national campaigns for the abolition of slavery, in cooperation with all actors, including civil society,⁵⁸ and supporting the National Human Rights Commission and civil society organizations working to combat descent-based slavery.⁵⁹

38. In 2021, a group of special procedure mandate holders indicated that abhorrent acts had been committed in the Kayes region by some Malian nationals who openly defended descent-based slavery. The mandate holders called for an impartial and transparent investigation into the acts and justice for the victims and stated that pro-slavery perpetrators must be held accountable for their crimes. According to them, police and gendarmerie officers and judges could enforce existing laws that made attacks against so-called “slaves” punishable offences. Mali must protect those who had historically had “slave” status from violence.⁶⁰

39. The Committee on Economic, Social and Cultural Rights was concerned about reports regarding the persistence of the use of forced labour, and it was also concerned that, in some areas in the north of the country, debt bondage was still practised. It urged Mali to take measures to eradicate forced labour and debt bondage by, inter alia, conducting awareness-

raising campaigns and ensuring that the perpetrators of those practices were brought to justice.⁶¹

8. Right to work and to just and favourable conditions of work

40. The Committee on Economic, Social and Cultural Rights noted that the unemployment rate remained high and recommended that Mali strengthen the implementation of its national employment policy by introducing specific targets, focusing its efforts on young people and women and allocating the resources necessary to ensure its effective implementation and sustainability. It also recommended increasing the quality of school curricula and technical and vocational training programmes.⁶²

41. The same Committee recommended ensuring that workers in the informal economy enjoyed the protection of labour laws and had access to social protection and progressively integrating them into the formal economy.⁶³

42. The same Committee was concerned that the minimum wage was insufficient to ensure a decent standard of living for workers and their families and recommended raising the national minimum wage to progressively guarantee a decent standard of living for all workers and members of their families.⁶⁴

43. The same Committee recommended eliminating the persistent gender wage gap by combating occupational segregation and promoting the effective application of the principles of equal pay for men and women and of equal pay for work of equal value, in particular in respect of employers, labour inspection services and judges.⁶⁵

44. The same Committee was concerned about reports of unfair dismissals of workers who had engaged in trade union activities and about the failure to enforce court decisions ordering their reinstatement. It urged Mali to bring its legislation on trade union rights into line with the Covenant, ensure that the exercise of trade union rights was fully respected and to enforce judicial decisions concerning the reinstatement of dismissed workers.⁶⁶

9. Right to social security

45. The Committee on Economic, Social and Cultural Rights was concerned about the number of persons excluded from the social security system. It recommended that Mali expand the coverage of the social security system, with a view to providing universal social protection coverage, and offer sufficient benefits to all, in particular the most disadvantaged and marginalized groups.⁶⁷

10. Right to an adequate standard of living

46. The Committee on Economic, Social and Cultural Rights was concerned that poverty rates remained high. It recommended developing and implementing a human rights-based strategic framework to combat poverty, with clear and measurable goals and the necessary resources, and envisaging effective mechanisms for coordinating the efforts of the various agencies involved, in the new context of decentralization. It encouraged Mali to take due account of existing regional disparities and the real needs of the population.⁶⁸

47. The same Committee was concerned about the persistence of food insecurity and the national chronic malnutrition rate.⁶⁹ The Independent Expert noted that the resurgence of intercommunal conflicts had increased the number of people in need of humanitarian assistance and the number of food-insecure people⁷⁰ and that many families had been forced to leave their homes and had lost their livelihoods.⁷¹ The Committee on Economic, Social and Cultural Rights called upon Mali to adopt a comprehensive strategy to guarantee the right to adequate food and to combat hunger and chronic malnutrition, in particular in rural areas, by, inter alia, envisaging the incorporation of the right to food into the Constitution and ensuring the effective functioning of the National Agricultural Risk and Disaster Fund. It also recommended improving the productivity of small agricultural producers by facilitating their access to appropriate technologies.⁷²

48. The Committee on Economic, Social and Cultural Rights was concerned that a large proportion of the population had been living in substandard housing in inadequate living conditions. It recommended that Mali adopt a comprehensive national housing strategy

aimed at improving the supply of affordable housing, in particular for disadvantaged and marginalized persons and families, and ensure that everyone was provided with safe and affordable electricity, drinking water and sanitation services.⁷³

11. Right to health

49. The Committee on Economic, Social and Cultural Rights was concerned that many people did not have access to affordable health services. It recommended allocating sufficient resources to the health sector for the implementation of its national health promotion policy. It also recommended ensuring the accessibility, availability and quality of health care, in particular in rural and remote areas, by, inter alia, improving the infrastructure of the primary health-care system and adopting legislation and an overarching policy on mental health.⁷⁴

50. The same Committee was concerned that maternal and infant mortality rates remained high. It recommended improving the standard of care provided to women throughout pregnancy and during childbirth in primary health-care facilities. It also recommended utilizing the technical guidance on the application of a human rights-based approach to reduce preventable maternal mortality and morbidity, ensuring, on the basis of equality between men and women, access to contraceptives, including for adolescents, in particular in rural areas, and developing age-appropriate sexual and reproductive health education programmes for boys and girls.⁷⁵

12. Right to education

51. The Committee on Economic, Social and Cultural Rights was concerned about the large number of children who did not have access to quality education, in particular in the north and centre of Mali. It was also concerned about the large number of madrasas, or Qur'anic schools that were beyond the control of the Ministry of Education and outside the scope of its guidelines. It recommended ensuring that children in the north and centre of the country had access to education, allocating sufficient resources, increasing the number of qualified teachers and their salaries and improving infrastructure and teaching materials, ensuring the effective implementation of free primary education and reinforcing the rules and the mechanisms for monitoring and supervising private educational institutions and developing and implementing effective measures to discourage children, in particular girls, from dropping out of school.⁷⁶

52. UNESCO recommended pursuing efforts to provide education to children in conflict zones, by considering their transfer to safer areas and putting in place other educational solutions to ensure continuous education.⁷⁷

53. UNESCO also recommended ensuring that all schools had separate sanitation facilities for girls and boys, to encourage girls' education.⁷⁸

13. Cultural rights

54. The Committee on Economic, Social and Cultural Rights was concerned about the lack of sufficient measures to promote cultural diversity and the dissemination of the culture, languages and traditions of the different ethnic groups in Mali. It recommended promoting awareness of the cultural heritage of the various ethnic minorities and creating a climate conducive to the protection, development, expression and dissemination of their histories, cultures, languages, traditions and customs. It encouraged Mali to strengthen its legal framework, with a view to providing greater protection to victims of attacks targeting their cultural heritage and modes of cultural expression.⁷⁹

14. Development, the environment, and business and human rights

55. The Independent Expert expressed concern that Mali was extremely vulnerable to climate change and had experienced frequent droughts and heavy rainfall that had led to deadly flooding.⁸⁰

56. The Committee on Economic, Social and Cultural Rights expressed concern at the negative impact of mining operations on the environment and the rights of affected communities. It recommended that Mali develop clear guidelines and rules for assessing the

impact that mining projects might have in terms of human rights and on the environment throughout the territory of Mali and demand that mining companies take effective steps to prevent the water and air pollution and soil degradation resulting from their activities and to reclaim the areas that had been damaged by those activities.⁸¹

B. Rights of specific persons or groups

1. Women

57. The Independent Expert noted that the continued deterioration of the security situation had a considerable impact on the fundamental rights of women, with recurrent cases of gender-based violence, including gang rapes.⁸² He also noted that women had been subjected to forced marriages.⁸³ The Secretary-General also noted an increase in conflict-related sexual violence cases.⁸⁴

58. The Independent Expert regretted that Mali had not adopted a law to combat gender-based violence, despite the fact that it had accepted the recommendation to do so during its universal periodic review in 2018.⁸⁵ He recommended giving effect to the recommendations made as part of the universal periodic review in 2018 by passing the bill on gender-based violence into law, and taking measures to prevent and combat such violence.⁸⁶

59. The Committee on Economic, Social and Cultural Rights was concerned that harmful practices, such as polygamy, early and forced marriage and female genital mutilation, remained widespread in Mali. It recommended introducing legislation that would explicitly prohibit female genital mutilation and establish effective enforcement mechanisms and organizing national awareness-raising campaigns that targeted all segments of society and promoted a culture of equality between men and women.⁸⁷

60. The United Nations country team recommended approving the draft Criminal Code, which incorporated the prohibition and punishment of all forms of gender-based violence, including female genital mutilation and child marriage, and increasing advocacy for adoption of the draft code among religious leaders.⁸⁸ It also recommended incorporating comprehensive care for victims into sector-specific planning at the national level, instituting a system for the collection and analysis of data on gender-based violence at the regional and community levels and establishing a framework for collaboration and coordination among actors responsible for addressing such violence.⁸⁹ The country team further recommended institutionalizing the one-stop approach, which involved establishing centres addressing the impact of gender-based violence throughout the country.⁹⁰

61. UNESCO indicated that, in accordance with the Persons and Family Code, the minimum legal age of marriage was 16 years for women, which was not compatible with international law, and that such an age of marriage could undermine the right to education.⁹¹ The Committee on Economic, Social and Cultural Rights recommended raising the minimum legal age of marriage to 18 years, for boys and girls alike, ensuring that all laws, including customary laws, were in conformity with those requirements and ensuring their effective implementation. The United Nations country team and UNESCO made similar recommendations.⁹²

62. The Committee on Economic, Social and Cultural Rights regretted the number of legislative provisions that were discriminatory against women and was concerned about the persistence of stereotypes and customary and traditional practices that reinforced such discrimination, in all areas, in particular with regard to women's access to land and resources. It recommended that Mali take the legislative and other measures necessary to eliminate the persistent inequality between men and women and to promote women's full and equal access to education, employment, health care and social security and promote equal access for women to land and resources.⁹³

63. The Independent Expert recommended that Mali encourage and monitor the participation of women in all negotiation initiatives on peace and security, in accordance with the provisions of Security Council resolution 1325 (2000), including their participation in the Monitoring Committee for the Agreement on Peace and Reconciliation in Mali, and ensure that women participated more fully in the peace process under way in the country.⁹⁴

64. According to the Secretary-General, the adoption of the Electoral Law by the National Transition Council, represented a milestone and some provisions of the text should facilitate women's representation in the National Assembly.⁹⁵ However, 26 per cent of the representatives were women, falling just under the national law requiring 30 per cent.⁹⁶

65. The United Nations country team recommended stepping up interventions and communication to reduce risk factors for gender-based violence and strengthening economic empowerment and socioeconomic and educational reintegration programmes for girls and women, to strengthen women's economic power and eliminate their economic dependency.⁹⁷ It also recommended actively involving political parties in the implementation mechanisms for the law on quotas, in order to promote women's political development, and raising awareness on the procedures furthering women's political participation in Mali.⁹⁸

2. Children

66. The Independent Expert recalled that he had repeatedly expressed his concern about the disproportionate impact and devastating consequences of the armed conflict in Mali on children.⁹⁹ The threat of the collapse of schools would deprive hundreds of thousands of children of their right to education, and the closure of schools had reportedly contributed to an increase in the rates of early marriage and rural-urban migration among girls.¹⁰⁰

67. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict took note of a sharp increase in the number of grave violations perpetrated against children, the majority of which had been attributed to armed groups, in particular the recruitment and use of children, the killing and maiming of children and the denial of humanitarian access. The Office took note of another worrisome trend, namely, the sharp increase in the number of verified attacks on schools and hospitals, which had tripled in 2021 compared with 2017.¹⁰¹

68. The same Office recommended finalizing the revision of the draft child protection law, criminalizing the recruitment and use of children and adopting and implementing the law, as well as adopting and implementing the draft law on the protection of educational institutions from attacks. The Office also recommended that Mali urge the Safe Schools Declaration Technical Committee to implement its action plan and that Mali reinforce systems to prevent child recruitment, institutionalize child protection training for the Malian defence and security forces, establish, endorse and implement a framework between the Malian defence and security forces and the United Nations to address grave violations against children, implement the Protocol on the Release and Handover of Children Associated with Armed Forces and Groups of 2013, investigate, prosecute and sanction those found to be responsible for grave violations against children and ensure that all victims had access to justice and were provided with comprehensive, age-appropriate and gender-sensitive protection services.¹⁰²

69. The Independent Expert recommended that Mali give effect to the recommendations made as part of the universal periodic review in 2018 by adopting a legal mechanism to combat child and early marriage.¹⁰³

70. The Committee on Economic, Social and Cultural Rights recommended establishing a system to provide comprehensive protection for children, especially those in particularly vulnerable situations, strengthening the effective implementation of the national plan of action on the elimination of child labour, 2011–2020, and ensuring that all demobilized children were treated as victims and had access to education, health services, social security and psychosocial care.¹⁰⁴

3. Persons with disabilities

71. The Committee on Economic, Social and Cultural Rights was concerned about the lack of access for children with disabilities to inclusive education. It recommended ensuring that children with disabilities were integrated into the mainstream education system.¹⁰⁵

4. Internally displaced persons

72. The United Nations country team reported an increased number of internally displaced persons owing to the ongoing violence in the Ménaka, Gao, Timbuktu, Ségou and Mopti regions, with children accounting for more than half of the displaced population.¹⁰⁶

73. The Independent Expert noted that the deterioration of the security situation in Mali had a considerable impact on the humanitarian situation. He called upon Mali to readapt the security responses and strategies that had failed to effectively protect the civilian population and their fundamental human rights.¹⁰⁷

74. The Independent Expert urged Mali to afford effective protection for displaced persons by providing them with access to adequate housing, health care, education and social assistance.¹⁰⁸

5. Stateless persons

75. The Committee on Economic, Social and Cultural Rights was concerned about the large number of children under five years of age who did not have a birth certificate. The Committee recommended adopting a national strategy for the modernization of the civil registry and facilitating the registration of children, especially in areas affected by internal armed conflict.¹⁰⁹

Notes

- ¹ See [A/HRC/38/7](#), [A/HRC/38/7/Add.1](#) and [A/HRC/DEC/38/104](#).
- ² See <https://www.ohchr.org/en/countries/mali>.
- ³ See <https://www.ohchr.org/en/statements/2022/04/comment-un-human-rights-office-spokesperson-seif-magango-malian-authorities>.
- ⁴ Ibid.
- ⁵ See <https://www.ohchr.org/en/press-releases/2022/04/mali-un-expert-urges-probe-grave-rights-violations-moura>. See also [A/HRC/43/76](#), para. 17.
- ⁶ United Nations country team submission, pp. 2–3.
- ⁷ [S/2022/731](#), para. 62.
- ⁸ United Nations country team submission, p. 4.
- ⁹ [CED/C/MLI/CO/1](#), para. 12.
- ¹⁰ United Nations country team submission, p. 5.
- ¹¹ [CED/C/MLI/CO/1](#), para. 13.
- ¹² [E/C.12/MLI/CO/1](#), para. 13.
- ¹³ [CED/C/MLI/CO/1](#), para. 15.
- ¹⁴ [E/C.12/MLI/CO/1](#), para. 15 (a) and (c).
- ¹⁵ United Nations country team submission, p. 2.
- ¹⁶ [A/HRC/43/76](#), para. 69 (e).
- ¹⁷ United Nations country team submission, pp. 3–4.
- ¹⁸ [CED/C/MLI/CO/1](#), para. 7.
- ¹⁹ Ibid., para. 19.
- ²⁰ See <https://www.ohchr.org/en/press-releases/2022/08/mali-un-expert-gravely-concerned-deterioration-security-and-human-rights>.
- ²¹ [CED/C/MLI/CO/1](#), paras. 42–43.
- ²² [A/HRC/49/94](#), para. 66 (g) (i)–(iii).
- ²³ Ibid., para. 66 (b).
- ²⁴ [S/2022/731](#), para. 44.
- ²⁵ Ibid., para. 45. See also [A/HRC/49/94](#), para. 29.
- ²⁶ [A/HRC/49/94](#), para. 13. See also [A/HRC/43/76](#), paras. 12, 17 and 30.
- ²⁷ [A/HRC/46/68](#), para. 63.
- ²⁸ See <https://www.ohchr.org/en/statements/2022/04/comment-un-human-rights-office-spokesperson-seif-magango-malian-authorities>.
- ²⁹ [A/HRC/43/76](#), para. 15.
- ³⁰ [A/HRC/40/77](#), paras. 29 and 31.
- ³¹ [CED/C/MLI/CO/1](#), paras. 40–41.
- ³² [S/2022/731](#), para. 46.
- ³³ Ibid., para. 86.
- ³⁴ [CED/C/MLI/CO/1](#), para. 28–29.

- 35 [A/HRC/49/94](#), para. 31.
- 36 [A/HRC/43/76](#), para. 32.
- 37 [A/HRC/49/94](#), paras. 21–22.
- 38 *Ibid.*, para. 66 (c). See also [A/HRC/43/76](#), paras. 20 and 69 (e).
- 39 United Nations country team submission, p. 4.
- 40 *Ibid.*, pp. 5–6.
- 41 *Ibid.*, p. 4.
- 42 [CED/C/MLI/CO/1](#), para. 41.
- 43 United Nations country team submission, p. 4.
- 44 [A/HRC/43/76](#), para. 48.
- 45 [A/HRC/49/94](#), para. 66 (c) (iv).
- 46 [CED/C/MLI/CO/1](#), paras. 24–25; and [A/HRC/43/76](#), para. 21.
- 47 [A/HRC/43/76](#), para. 69 (g).
- 48 [HRC/49/94](#), para. 22.
- 49 United Nations country team submission, p. 3. See also [S/2020/1332](#).
- 50 [E/C.12/MLI/CO/1](#), paras. 10–11.
- 51 [A/HRC/43/76](#), para. 22.
- 52 See <https://www.ohchr.org/en/press-releases/2022/08/mali-un-expert-gravely-concerned-deterioration-security-and-human-rights>.
- 53 [A/HRC/49/94](#), para. 32.
- 54 *Ibid.*, para. 66 (h).
- 55 Contribution of the United Nations Educational, Scientific and Cultural Organization (UNESCO): Mali, para. 29.
- 56 [E/C.12/MLI/CO/1](#), para. 9.
- 57 [A/HRC/43/76](#), paras. 29 and 41.
- 58 [A/HRC/46/68](#), para. 66 (h).
- 59 [A/HRC/49/94](#), para. 66 (a).
- 60 See <https://www.ohchr.org/en/press-releases/2021/11/mali-end-impunity-barbaric-attacks-slaves-long-overdue-un-experts>.
- 61 [E/C.12/MLI/CO/1](#), paras. 26–27.
- 62 *Ibid.*, paras. 18–19.
- 63 *Ibid.*, para. 21.
- 64 *Ibid.*, paras. 22–23.
- 65 *Ibid.*, paras. 24–25.
- 66 *Ibid.*, paras. 28–29.
- 67 *Ibid.*, paras. 30–31.
- 68 *Ibid.*, paras. 36–37.
- 69 *Ibid.*, para. 38.
- 70 [A/HRC/43/76](#), para. 59.
- 71 [A/HRC/49/94](#), para. 57.
- 72 [E/C.12/MLI/CO/1](#), para. 39.
- 73 *Ibid.*, paras. 41–42.
- 74 *Ibid.*, paras. 45–46.
- 75 *Ibid.*, paras. 48–49.
- 76 [A/HRC/43/76](#), paras. 51–52.
- 77 Contribution of UNESCO, para. 28 (v). See also [A/HRC/43/76](#), para. 56.
- 78 Contribution of UNESCO, para. 28 (iii).
- 79 [E/C.12/MLI/CO/1](#), paras. 53–54.
- 80 [A/HRC/43/76](#), para. 62.
- 81 [E/C.12/MLI/CO/1](#), paras. 43–44.
- 82 [A/HRC/49/94](#), para. 48.
- 83 [A/HRC/49/94](#), paras. 49.
- 84 [S/2022/731](#), para. 50.
- 85 [A/HRC/43/76](#), para. 51.
- 86 *Ibid.*, para. 69 (e). See also [A/HRC/49/94](#), para. 66 (d).
- 87 [E/C.12/MLI/CO/1](#), paras. 32–33.
- 88 United Nations country team submission, p. 9.
- 89 *Ibid.*, p. 10.
- 90 *Ibid.*
- 91 Contribution of UNESCO, para. 21.
- 92 [E/C.12/MLI/CO/1](#), paras. 32–33; contribution of UNESCO, para. 28; and United Nations country team submission, p. 7.
- 93 [E/C.12/MLI/CO/1](#), paras. 16–17.

- ⁹⁴ [A/HRC/43/76](#), para.69 (d); and [A/HRC/49/94](#), para. 66 (e).
⁹⁵ [S/2022/731](#), para. 5.
⁹⁶ [S/2023/21](#), para. 5.
⁹⁷ United Nations country team submission, p. 10.
⁹⁸ *Ibid.*, p. 11.
⁹⁹ [A/HRC/43/76](#), para. 53.
¹⁰⁰ [A/HRC/49/94](#), paras. 52–53. See also [A/HRC/43/76](#), paras. 50 and 53.
¹⁰¹ Contribution of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict for the universal periodic review of Mali, p. 1.
¹⁰² *Ibid.*, p. 3. See also United Nations country team submission, p. 12.
¹⁰³ [A/HRC/43/76](#), para. 69 (e).
¹⁰⁴ [E/C.12/MLI/CO/1](#), para. 35.
¹⁰⁵ *Ibid.*, paras. 51 (f) and 52 (f).
¹⁰⁶ United Nations country team submission, p. 12.
¹⁰⁷ See <https://www.ohchr.org/en/press-releases/2022/08/mali-un-expert-gravely-concerned-deterioration-security-and-human-rights>.
¹⁰⁸ [A/HRC/43/76](#), para. 60.
¹⁰⁹ [E/C.12/MLI/CO/1](#), paras. 34–35.
-