

service of general interest, equal for all under conditions determined by law ".

183. The legal and regulatory framework consists mainly of Law No. 92-020 of 23 September 1992 on the Labour Code in the Republic of Mali and Law No. 02-053 of 16 December 2002 on the General Regulations Governing State Employees.

184. As for the institutional framework, it comprises the Ministry of Labour and Public Service, the National Directorate of Labour, Labour Inspectorates, and the labour courts.

185. According to Article L.4 of Law No. 92-020 of 23 September 1992 on the Labour Code in Mali, the right to work and training is recognized as the right of every citizen. Workers have a right to express themselves on the content, conditions and organization of work.

186. In principle, the duration of the work may not exceed 40 hours per week. However, on farms, working hours are fixed at 2,352 hours per year and a decree of the Minister of Labour shall set the weekly duration seasonally.

187. The weekly rest period is obligatory. It is twenty-four hours consecutively. It comes up in principle on Sunday (Article L.42 of the Labour Code). It can in no way be replaced by a compensatory allowance.

188. A worker is entitled to a leave after twelve months of service. The assessment of the worker's leave entitlements is done on a reference period from the date of recruitment or return from the previous leave, to the last day before his departure for the new leave.

189. It should be recalled that Mali ratified two fundamental ILO Conventions on the subject. These are Convention No. 29 of 1930 on Forced Labour (ratified on 22 September 1960) and Convention 105 of 1957 on the Abolition of Forced Labour (ratified on 28 May 1962).

190. The issue of employment is the main concern of country's authorities. The Strategic Framework for Poverty Alleviation and the Growth and Poverty Reduction Strategic Framework prioritize the promotion of employment. That is why the various policies and measures were adopted by the Government so that there is work for persons available and in search of work.

191. Actions to strengthen public employment services led to the creation of 39,022 government jobs from 2007 to 2010, in the administrative structures.

192. Despite the results achieved, unemployment, especially among the youth, remains Government's concern and remains very high in Bamako, in spite of the decline noted (27.3% in 2007 as against 24.9% in 2010). The other secondary towns experienced the same trend (from 16.1% to 14%). In rural areas, there is some stagnation (5.9% to 4.7%). The services of the Ministry of Employment and Vocational Training showed the creation of 23,828 jobs in 2010, inclusive of all categories and durations.

193. Regarding the institutional framework, a ministry dedicated to Employment and Vocational Training was established in 2002 instead of a Ministry Delegate, where the

employment aspect was operating within the Ministry of Labour and Public Service.

194. This reflects the will of the highest authorities of the country to make this sector play its full role in the country's economic and social development. Indeed, the objective assigned to the department, through the CSCRP is to find answers to securing jobs, reducing unemployment, adapting training to the needs of the market.

195. Hence, vocational training and development of human resources are priorities mentioned time and again in relation to youth employment in growth sectors such as agro-pastoral businesses, also in connection with the development of the private sector particularly SMEs-SMIs.

196. This is how through Decree No. 09-164/P-RM of 17 April 2009 laying down specific responsibilities of members of the Government, the Ministry of Employment and Vocational Training (MEFP) is in charge of preparing and implementing the national policy in the areas of employment and vocational training.

197. A national policy document for vocational training was adopted by the Government in June 2009, and the process of formulating a new national employment policy is currently underway.

198. This policy has identified five priority areas: local employment, promotion of high intensity labour jobs, vocational and technical training, business development and employment in the informal sector.

199. To ensure better implementation of various programmes, implementing agencies namely ANPE FAFPA and FARE have been restructured and strengthened. Faced with serious youth unemployment, a new agency was created to deal exclusively with the problem of youth employment. This is the National Youth Employment Promotion Agency (APEJ) and its regulatory programme dubbed Youth Employment Programme (PEJ).

200. In addition, employment and vocational training programmes have been designed and are currently being implemented. These include, among others, PNA/ERP, PEJ II, PAGESPRIM, PRODEFPE, the PAFIP, PISE (Training of young school dropouts, CED finalists and the newly literate).

201. A vast vocational training and employment reform through projects and programmes was undertaken with the support of PTF. Thus, we also note the PCFP and PAFPE. It is within the context of this reform that structures such as FAFPA, OEF, the UFAE were also created to help improve the provision of vocational training and ensure its financing.

202. ILO programmes to assist in the implementation of employment and vocational training policies are equally going on. Currently, seven ILO technical cooperation projects are underway in Mali (PEJIMO, ISFP, APERP, Migrant, HIV/AIDS, TACKLE and AECID).

203. Other bilateral or multilateral partners are increasingly interested in issues of employment and vocational training for instance the World Bank, UNDP, WFP, FAO, IFAD, UNIDO, UNESCO, France, the United States, the Grand Duchy of Luxembourg, Switzerland, Denmark, Sweden, Spain, etc.

204. To develop the private sector, the Government initiated projects and programmes for the creation and development of private enterprises (the projects EDF/SMEs-SMIs, UNDP/ILO, PAPME-Canada, APEP, PAJE/NIETA with the USAID).

205. Guidelines were defined in the PNEP: human resource development, articulation between education, vocational training, technical education and other mechanisms for developing skills, matching training with the needs in the labour market (Training-Employment Balance), the development of learning, quality and equity, decentralization and devolution, partnership, management and financing.

206. The strengthening of the intervention capacity of APEJ (National Youth Employment Promotion Agency) through the provision of resources from the National Youth Employment Fund (FNEJ), by earmarking Youth Employment Tax (2% of the fixed contribution of employers), enabled the funding, with own resources, of the 2nd phase of the Youth Employment Project (PEJ II) to the tune of 24.8 billion CFA francs for the period 2011-2015, excluding the contribution of beneficiaries, of the private sector and the financial system).

207. The Support Programme for the socio-economic reintegration of the Youth of the Regions of northern Mali concerned 10,000 young people including 4,000 in the Kidal region and 3,000 in the Timbuktu and Gao regions. Its total cost is about 22 billion CFA francs for implementation in two phases of five (5) years each. The programme started its activities by, financing on 30 November 2010, 276 projects for 731 young people, including 250 for the region of Timbuktu, 206 for Gao and 275 for Kidal for an overall cost of 666,364,255 CFA francs.

208. The Ministry of Employment and Vocational Training, through the National Directorate of Vocational Training, has training structures such as vocational training centres and FAFPA offering skills training to youth of DEF level, in the construction and carpentry sectors, etc.

209. Furthermore, as selected actions, note should be taken of:

- the strengthening of mechanisms of on-the-job training, professional agricultural training for greater professionalization of rural actors, apprenticeship training (dual, alternating, traditional, skills training types);
- the establishment of a strategy for the training of trainers, apprentice masters and local trainers;
- the promotion of private investment in vocational training;
- improving information on training needs and courses, etc;
- the access by women, girls, vulnerable groups;
- the institutionalization of employment and vocational training grant;
- the institutionalization of SITA, etc.

210. It should be noted that a youth policy development framework of the Ministry of Youth and Sports is being finalized, which gives a pride of place to employment.

The right to health and well-being (Article 16)

211. The Universal Declaration of Human Rights (Article 12), the African Charter on Human and Peoples' Rights (Article 16) provide that every human being has the right to enjoy the

best physical, mental and social health.

212. The accession by the Republic of Mali to the World Health Organization after its attainment of national and international sovereignty in 1960 stems from this reality. The same applies to the adoption of the Alma Ata Declaration in 1978, on the strategy of revitalizing primary health care and the objective of health for all by the Year 2000, as well as the adoption the Bamako Initiative in 1987 and its implementation in 1989, as a health care revitalization/revival strategy.

213. The same applies to international objectives for reducing maternal and infant mortality, controlling the HIV epidemic currently widespread in Mali, malaria, tuberculosis and other major endemic diseases, within the framework of achieving the Millennium Development Goals as well as attaining universal access to treatment by 2015.

212. The Constitution of the Republic of Mali provides in Article 17 that "Health shall be an inalienable right of the citizen"

213. For the purposes of implementing Article 16 of the Charter, the Government of Mali initiated and implemented various projects and programmes to ensure coverage of the population's health needs.

214. The following can be mentioned, among others: the adoption of the Primary Health Care Strategy, the Bamako Initiative, the Declaration of the Health and Population Sector Policy, the 2002 Framework Law on Health, and various other laws and their implementing decrees on health targeting especially women, new-borns and children, the youth, health cluster to multiple indicator survey relating to hospitals, the fight against HIV and AIDS.

215. The health sector policy adopted in 1990, translated into Framework Law No. 020-49 on health on 22 July 2002, advocates in Article 2 the basic principles of equity, justice, solidarity and participation of the population and civil society. It takes into account the international commitments to which the Republic of Mali has subscribed.

216. In order to address the problems in the health sector, the Government undertook the realization of "the Compact" whose overall objective is to define a unique and harmonized framework to increase and improve the effectiveness of aid in the health sector with a view to achieving the Millennium Development Goals (MDGs). Mali is one of the first Sub-Saharan African countries to establish a national performance contract for the achievement of MDGs 4 and 5 linking the Government with 13 bilateral and multilateral partners.

217. The participatory implementation of the aforementioned policies, plans and strategies has contributed to improving the population's health status, notwithstanding the shortcomings noted at certain levels.

218. Indeed, regarding the extension of health coverage, the minimum package of activities (MPA: preventive, curative and promotional care) was offered in 2010, in 1050 CSCOMs, representing 59% and 90% of the population living within 5km and 15 km respectively of a health facility. This level refers patients to referral health centres (CS Ref.) in the health districts, but often directly to the public hospital establishments (EPH), depending on their proximity or following the choice of the patient or his parents contrary to the normal circuit established.

219. In terms of reference and organization of counter-reference system, in 2010, 100% (59/59) of the referral health centres had a revised conceptual framework or a framework that was under review, at least one surgical unit, trained personnel and appropriate equipment (including rolling stock, computers and RACs).

220. The quality of care is improving year by year at this level of care for patients through multidisciplinary management teams with adequate means of diagnostics and a system of organizing, monitoring and evaluating programmed or non-programmed operations. This reference level refers also to the 14 Hospital Facilities (EHs) including 11 public hospitals (EPHs), commonly referred to as 2nd or 3rd baseline hospitals, more efficient for the treatment of complicated cases or medical specialties, surgery, gynaecology-obstetrics or for conducting complementary para-clinical diagnostic examinations, etc.

221. The reform of the hospital system led to the practice of hospital medicine that guarantees the quality of care, better reception and guidance of patients and the reduction of medical evacuations outside the country (reduction of expenses on families and the State, which continues to provide financial and logistical contribution in this area).

222. The organization and implementation of the legislative and regulatory framework favourable to the development of private medical and pharmaceutical practices led to the provision of a dense network of health practitioners especially in large cities. This led to a positive response to a request for long-awaited individual private care. In 2010, Mali had more than 1412 public, private and community health institutions, 1462 drug deposit or sale facilities, including 497 private facilities and 92 laboratories with only 9 of them being private.

223. These various health institutions contributed in 2010 to the curative care of 0.36 contacts per inhabitant per year. The 11 EPHs helped in the care of 722,396 patients of which only 6.2% of cases were referred, and the hospitalisation of 134,439 patients for an overall occupancy rate of 41% which ranged from 8 to 66% and for an average stay of 4 days, including extreme cases which ranged from 3 to 16 days.

224. **In the area of prevention**, serious childhood infectious diseases for which children pay the highest price dropped significantly due to immunization of children within the framework of the Expanded Programme on Immunization (EPI), which incorporates routine vaccination, vaccination revival days, searching days or synchronized sub-regional campaigns using the door-to-door approach within the framework of eradicating poliomyelitis and even other diseases where it was feasible. Hence, we note that the vaccination coverage in Penta 3 (5 vaccines) was 104% in 2010 (exceeding the target of at least 90% per year). As a reminder, Mali benefited from the certification of Poliomyelitis after several consecutive years without polio, following the standards set by the WHO (pre-eradication phase).

225. As part of the fight against the disease, several strategies and interventions are underway to forcefully fight back HIV/AIDS, the prevalence rate of which stood at 1.3% according to the EDSM-IV in 2006 as against 1.7% in 2001.

226. Within the purview of this fight, in 2010, Mali had 265 voluntary counselling and screening centres (CCDVs). These centres enabled the screening of 129 039 persons, 3192 of whom were HIV-positive, representing 2.47% as against 25.38% in 2006. Also, in 2010, 35

563 persons living with HIV (PLHIV) were introduced to ARVs (target exceeded by more than 100%) 69.67% of whom were regularly monitored at the level of 74 treatment sites including 68 which equally provide paediatric care.

227. It should also be noted that in 2010, 307 Prevention of Mother- to-Child Transmission (PMTCT) sites existed across the country (target exceeded by more than 100%). They helped screen 67.33% of 110,736 pregnant women during antenatal care (ANC), representing a rate of 89% as against 65% for cases of assisted deliveries. The populations' compliance with voluntary HIV screening in relevant structures established, is gaining momentum as the years go by.

228. The National Strategic Framework for the fight against HIV and AIDS (CSN) for the period 2006-2010 has been completed. A national review is underway to assess the former CSN and to prepare a new strategic framework for 2012-2016 with the support of all stakeholders including the State, the private sector, civil society, and the technical and financial partners.

229. The antiretroviral drugs against HIV/AIDS are provided free of charge since 2004, thanks to the President of the Republic. This free treatment is being extended to all the eligible cases diagnosed. As a reminder, according to UNAIDS data on treatment in Africa, Mali (3rd country in Africa to institute free treatment) is ranked first country in this domain.

230. Moreover, other vigorous actions were carried out to fight this scourge including, among others, malaria with the support of the Malaria Training Centre (MTRC) of the Faculty of Medicine and Dentistry (FMPOS), as an international centre for research on the issue, which effectively contributed to significantly reducing fatality caused by the disease; tuberculosis, leprosy, the so-called neglected diseases, blindness, guinea worm, non-communicable diseases including hypertension, diabetes, sickle cell disease are currently receiving the specialist attention of a Regional Centre (CRLD) in the fight against those conditions; cancers, epidemics including those relating to meningitis which is less lethal are being addressed with continued mass vaccination campaigns according to established standards and the introduction in 2010 of a new vaccine that protects for 10 years .

231. The implementation of the national blood transfusion policy ensures safety in hospitals and referral health centres, through the efforts of 36876 voluntary blood donors aged 18 to 60 years (2.22% of donations were detected HIV positive in 2010 and destroyed). This institutional mechanism incorporates appropriate conditions for effective control and prevention of emerging diseases and the re-emergence of HIV/AIDS.

232. Several other diseases such as leprosy, tuberculosis, onchocerciasis, etc. are also being treated free of charge for a long time. These initiatives have greatly contributed to the control of the advance of these diseases in general especially in poor rural areas, with the exception of tuberculosis where the detection rate was only 29% in 2009 and 20% in 2010 (temporary halt of funding from the Global Fund), despite the on-going significant efforts.

233. It should equally be noted that the free caesarean section interventions decreed since 2005 and the free anti-malaria treatment of children from 0-5 years and pregnant women, as well as the prevention of malaria in pregnant women through the use of Sulphadoxine-Pyrimethamine (SP) adopted since 2007, are major innovations that enable the poorest to have access to health care throughout the national territory.

234. The institutionalization by the Government of the Compulsory Health Insurance (AMO) and the Medical Assistance Fund (FAM), which is implemented by regulations, the National Health Insurance Fund (CANAM) and related tools guarantee care for workers, soldiers, members of parliament, retirees and the destitute and for their beneficiaries; such health care is provided in the public and private hospitals which are subsidized for this purpose.

There is need to note the creation of 23 new mutual funds, bringing the total number to 121 mutual funds approved by the end of 2008. Thus, the population coverage by health mutual funds increased from 1.7% (215 156 beneficiaries out of a population of 12,712,655 inhabitants) to 1.9% (244 028 beneficiaries out of a population of 13,056,837 6 inhabitants) representing an increase of 0.2 percentage points corresponding to 28,873 new memberships. In 2009, the mutual health insurance coverage was 2.1% (3% target) and the coverage rate of population was 2.8% (target of 3.5%).

235. The fight against the disease (including epidemics) is facilitated through the strengthening of research in the area of health through specialized structures created for this purpose. In the same vein, the strengthening of the National Health Information System (SNIS) through staff training in epidemiology and public health was undertaken. The availability of qualified and monitored human resources, as well as the provision of computer hardware contributes to effective and efficient management of cases following a mechanism for monitoring and periodic evaluation implemented at various levels of the health system with the involvement of all stakeholders (State, local authorities, communities, civil society, and technical and financial partners).

236. This system under review (prompted by the growth of the institutional environment) is crucial in taking appropriate decisions. Indeed, and as an example, through the organization of health services and the rational management of health statistics, epidemics and endemic diseases are steadily declining. The indices of morbidity and mortality are being improved as the years go by.

237. The policy of essential drugs and the support mechanism put in place have led to the availability, in the remotest parts of the country and in the health centres, of essential international drugs at an affordable price and in good dispensing conditions.

238. This policy includes the Pharmacopoeia and Traditional Medicine. In this context, the production of Improved Traditional Medicines (MTAs) at the National Public Health Research Institute (INSRP) helps to increasing the health coverage of the population with essential drugs. This is done with the help of associations of traditional healers and some technical and financial donors interested in the issue.

239. In 2010, the 10 essential drugs were available at 98% in health facilities. The average number of prescribed drugs was three (3) and the average cost of a prescription for the same period was one thousand six hundred and sixteen (1616) CFA francs in CSREFs, as against one thousand three hundred and sixty five (1365) CFA francs in CSCOMs.

240. As accompanying measures, vigorous actions were taken and are on-going to rehabilitate, construct and equip health facilities according to established standards. Similarly, within the framework of capacity building, the supply of logistics, office equipment (especially computers) and cold chain is still going on to meet the planned needs with the support of all stakeholders.

241. With the improvement of the curricula of training schools and actions of human resources development undertaken, the professional ratios of healthcare per inhabitant have improved considerably in the last 10 years. Thus, in 2010, the ratio for doctors was one (1) for 9792 inhabitants, one (1) midwife for 21,924 inhabitants, one (1) nursing assistant for 3448 inhabitants. The WHO standard is one (1) for 10 000 doctors as against one (1) for 5000 inhabitants respectively for midwives or nurses.

242. The health budget in the state budget has also increased over the past decade; from less than 5% in 1989 to 11.71% in 2010 (recurrent expenses ratio). This rate is below the 15 % set by Heads of State in Abuja, Nigeria. Within the framework of attaining the MDGs in the health sector, the table below shows the results obtained in relation to certain targeted impact indicators.

Summary table of Mali's results with regard to the objectives of the various PRODESS from 1998 to 2010/MDGs

Indicator	Goals			EDSM.III, IV results and MICS 2010 surveys			
	Prodess	Prodess II	Prodess +	1996	2001	2006	2010
	1998-2002	2005-2009	2009-2011				
MDG1							
Underweight rates. Among children aged <5years/100			27.0%	40.0%	33.2%	26.7%	18.9%
Immunization coverage rate of children 12-23m (Measles)			90%	50.8%	48.7	68.4%	73.0%
Immunization coverage rate of children 12-23m (DTP3)			Above or equal to 90%	37.5%	39.6	61.9%	72.1%
MDG4							
Infant mortality rate/100		93.0	56.0	122.5	113.4	95.8	
Child mortality rate /100	166.3	211.0	150.0	237.5	229.1	190.5	
MDG5							
Maternal mortality rate/100000	404	574	344	577	582	464	
Prenatal care rate			86.0%	46.9	56.8	70.4	
Assisted delivery rate			65.0%	40.0%	40.6%	49.0%	56.0%
Contraceptive prevalence rate			10.0	4.5	5.7	6.9	8.0%

(women in union)							
MDG6							
HIV/AIDS prevalence rate /100	2.0%	1.3%	1.0%		1.7%	1.3%	

Source: PRODESS External Evaluation Report (May 2011)

HEALTH PROBLEMS /CONSTRAINTS

243. Despite the achievements and on-going measures to meet the population's health needs, to respond to the citizens' rights and equity in access to health care, the health situation still remains disturbing. The following areas to be improved upon attest to this:

- Maternal mortality (464 per 100 000 as against a target of 146 in 2015, set in 2000 by the Heads of State for the MDGs), infant mortality (96 per 1000) and child mortality (113 per 1000) still remains very high and practices harmful to the health of women and young girls still persist (85% of girls were circumcised according to the results of the EDSM-V in 2006 as against 98% in 2001);
- The average mortality rate in CSREF is 3.91% as against 9.50% in the hospitals, representing an overall rate of 6.68% in all these health facilities. These rates are still relatively high despite the progress made;
- Concerning family planning, only about 8% (MICS 2010 survey) of women, as against a target of 20% set by the MDGs by 2015 (10% by 2011/PRODESS II Extended) use modern contraceptive methods. The unmet needs in this area according to the results of the DHS IV stand at 31%;
- Fertility remains high (6.6 children per woman) and early, over 30% (34% in 2001) of adolescent girls aged 15 to 19 were mothers in 2006 (EDSM-2006);
- In 2006, according to the results of the EDSM-IV, approximately half of all births took place elsewhere (especially at home) by unqualified personnel. According to data from National Health Information System (SNIS), the rate stood at 65% in 2010.
- In spite of the efforts made in the allocation of financial resources (about 61% at the decentralized level in 2009), the regional disparities in the availability and use of health services remain a concern for the highest authorities of Mali. Although the objective set in 2010 (0.35) is exceeded, relatively large regional disparities still persist. The number of contacts per inhabitant per year rose from 0.26 in the Mopti region to 0.61 in the Kidal region, the least dense.
- Nutritional security implies much more than mere access to adequate food. It requires access to adequate micronutrients, safe drinking water, hygiene and sanitation, good quality health services, improved practices at the level of households and communities in terms of food and child care, food hygiene, food preparation and

environmental health. Various factors influence the nutritional security, and by extension the nutritional status of individuals, communities and populations.

- 244. According to the EDS IV of 2006, acute malnutrition rate (weight/height) and chronic malnutrition rate (size/age) were 15.2% and 38% respectively, while the prevalence of underweight was 26.7%. In 2006, 81% of children below 5 years and 67% of women were anaemic or suffered from iron deficiency, making it one of the highest rates in the world. The direct causes of malnutrition in Mali are linked to inadequate food intake, diseases and inappropriate care practices.
- 245. The timid response by the population to voluntary HIV screening, despite the strides in this domain, as well as the abandonment of ARV treatment (11%) for a significant initiated portion of patients are concerns to be addressed with the help of other departments including education to induce the change of behaviour of users of health services.
- 246. Sluggish procedures causing delays in mobilizing the planned financial resources significantly contribute to the non or low achievement of certain expected results (for instance: the delay in conducting the EDSM.V, in preparing the Ten-Year Health and Social Development Plan and for the empowerment of Women, children and families, as well as their five-year programmes, etc.)

- **PROSPECTS**

247. Faced with the shortcomings and challenges to be met, measures were taken that enabled among others, the conduct of an external and independent assessment of Ten-Year Health and Social Development Plan in May 2011. Thereafter, it was the start of the process to design a new Ten-Year Plan (2012-2021) and its five-year programmes. This would lead to the consolidation of the achievements and the development of new innovative strategies to boost the level of certain key indicators, so as to accelerate the current measures for universal access to health services and care, which will significantly ensure the reduction of inequalities.

- 248. To achieve this, synergies will be developed with other sectoral departments whose actions will contribute to significantly enhance the level of the selected target indicators. Here, there will be reinforcement of on-going measures related to A.M.O, and the promotion of mutual health among others.
- 249. Furthermore, the development and implementation of the new National Strategic Framework for the fight against HIV and AIDS, 2012-2016/17 is an opportunity to address the shortcomings and strengthen cross-sectoral synergies to achieve the expected results.

The right to education and the right for individuals to take part in cultural activities (Article 17)

A. The right to education

250. The Constitution of Mali provides the right to education in Article 18. The adoption in 1999 of a Framework Law on Education, provided for the incorporation into national legislation of international legal instruments relating to the right to education.

251. In order to make this right effective, the Government adopted a series of policies and measures that led to the achievement of tangible results. “La Lettre de Politique Educative du Mali” (The Letter of Education Policy of Mali) published in April 2006, lays emphasis on basic education, especially primary education, giving priority to the education of girls and training of women, to initial and further training of teachers, the development of early childhood, education of children to special education needs and non-formal education. By opting for a democratic school in a decentralized context, Mali has made a very clear choice as to the importance of the role and place of communities and local authorities, to make a profound change with a view to rebuilding its educational system. The educational policy is implemented through the Ten-Year Educational Development Programme (PRODEC), whose five-year plan is the Education Sector Investment Programme (PISE).

252. The analysis of some access indicators shows that progress has been made in the education sector in Mali.

FORMAL EDUCATION:

253. The progress made in the education system in terms of access to education is reflected, between 2002 and 2010, in an increase in student enrolment in the first cycle of basic education. Indeed, enrolment rose from 1.29 million to 2.114 million including 969,466 girls, representing an average increase of 6% per year. Enrolment in public schools stood at 65.47% and that of community schools at 8.67% in 2009-2010. The enrolment in the first cycle would be 2,392,208 students in 2012.

254 The rapid development of student enrolment in the 1st cycle of basic education led to increased pressure on the second cycle where enrolment rose from 237,298 in 2002 to 582,613 in 2012.

255. Thus, with the start of 2011/2012 academic year, new needs in terms of classrooms in the second cycle were estimated at 5041 for an average ratio of 50 students per class. The number of existing classrooms stood at 5872.

256. To support this increase:

- 1 281 classrooms were constructed and equipped with funds from various sources (ABS, Netherlands, IDA, IDB and AfDB) to the tune of 10.675 billion CFA francs;
- Twenty (20) new second cycle schools were opened in councils that do not have them and wherein the enrolment in Form One was over 65 students;
- 166 canteens already funded were created in the vulnerable areas of the country.

257. The rapid growth of enrolment equally induced pressure on secondary education, hence the need for regulation at this level, through a controlled guidance/regulation of intake.

258. In 2011, out of 62,666 regular students, including those of madrasas admitted in “DEF”, 59,833 were provided with guidance as against only 3 133. Those not guided represented 5% of the number enrolled, but the department strove to give them instructions and guidance despite all odds, to meet the expectations of parents.

259 On this basis, approximately 37,600 students, representing 60%, pursued public education as against 25,066 students guided towards private education.

260. In technical and vocational education, enrolment increased between 2010 and 2011, from 81,442 to 92,663 students. It was estimated at 105,899 students in 2011-2012. There was reduction in gaps, in terms of students guided, between the Technical Economy series (70%) and the Civil Engineering Technique and Technology Industry series (30).

261. In accordance with the recommendations of the Forum on Education, the curriculum, which is the set of self-management skills and know-how required for a learner to enable him to pursue higher studies or to integrate working life, was generalized. The option chosen was to first introduce it in 2,463 primary schools (inclusive of all statuses).

262. In its quest for universal education in 2012, an essential condition to achieve the Millennium Development Goals (MDGs) with regard to Education for All (EFA) by 2015, Mali resolutely embarked on the Sankore programme.

263. Sankore is a digital education programme that seeks to enhance access to quality primary education. The underlying idea is that the digital revolution can help to meet the challenge of quality basic education for all, as the costs of equipping drops and free resources can be created and shared everywhere for free. The idea is to share the digital revolution to all African countries.

264. In 2011, the education sector was funded to the tune of 259.52 billion CFA francs, 207.58 billion of which came from the State and 51.94 billion CFA francs from external financing.

265. The recurrent budget (without BSI) and investment (BSI + ABS) of the Ministry of Education, Literacy and National Languages in 2011 was 204.23 billion CFA francs.

266. The Education sector ratio compared to recurrent expenditures rose from 33.24% in 2010 to 35.74% in 2011 in the amended Finance Law. The ratio in relation to the overall budget (including external funding from BSI) rose from 18.05% in 2010 to 20.05% in 2011. Note should be taken of the strong decentralization and devolution of the credits of the department which are broken down as follows:

- Credits earmarked for the central structures: 31.011 billion CFA francs, or 18.68%;
- Credits earmarked for devolved and decentralized structures: 134,997,000,000 CFA francs, or 81.32% as follows:
 1. Credits earmarked for the decentralized structures: 53.327 billion CFA francs, or 39.50%.
 2. Credits earmarked for external structures: 81.67 billion CFA francs, or 60.50%.

267 Funds of Sector Budget Support amounting to 10.410 billion CFA francs earmarked for BSI external financing are broken down as follows:

- 6.764 billion CFA francs for the central level, representing 64.98%;
- 3.645 billion CFA francs, representing 35.02% for external services.

268. Under Special Investment Budget (BSI) and other investments, commitments stood at 27.820 billion CFA francs. They include among others, infrastructure construction and equipment.

The difficulties and constraints:

269. The main difficulties and constraints encountered were:

- The results of this study showed that students had only 112 days of learning in 2009-2010, out of the 172 planned by the department, representing 71%;
- difficulties in the execution of financial resources transferred to local authorities (public expenditures implementation procedures);
- the slow disbursement of funds for the sector budget support at the external level;
- delay in reporting on the execution of credits transferred to local councils in 2010;
- Slow handling of: (i) salary arrears of teachers in terms of advancement and upgrading; (ii) arrears of school fees and half scholarships; (iii) student-teachers scholarship arrears; (iv) construction, rehabilitation and equipping of classrooms; (V) further training of teachers.

Prospects :

270. In 2012, the following actions will be taken:

- Acquisition of equipment for the various departments ;

In a bid to establish “close supervision” likely to improve teachers’ performance, twenty-nine (29) Teachers’ Resource Centres were created (two old ones were abolished), thus bringing the total number of TRC’s to between 70 and 97.

For the 2011-2012 academic year, the following activities were carried out with the view to strengthening the implementation of the educational decentralisation/devolution policy:

- The review of the agreement between the Ministry of Education and ANICT to ensure effective monitoring of the development of school infrastructure by the communities ;
- The management of the career plans of public servants of local authorities (CT) (ranking, training, promotion, mobility, etc.) ;
- The adoption of a regulatory text on the Education Committees of the local authorities ;

- The generalisation of the functional School Management Committees (CGS) model ;
- The review of the Executive decision on the functioning of the CGS ;
- The adoption of a decree regulating the Direct Support Fund for the Improvement of School Performance (ADARS) ;
- The continuation of the gradual transformation of community schools into municipal schools, by taking into account the possibility of providing them with civil servant teachers;
- The adoption of a regional model for school buildings ;
- The organisation of study tours within the framework of research-action on educational decentralisation ;
- The widespread use of functional consultation frameworks between the Local Authorities, the TRCs and the CGSs;
- The implementation and monitoring of recommendations of the national symposium on the operationalisation of labour relations between the devolved State departments and the Local Authorities ;
- The provision of quality teaching personnel to a number of schools ;
- Providing a large number of buildings and equipment for classrooms;
- Establishment of a National Education Fund.

**Total Number of Students in the basic education cycle (Source 2010-2011
Statistical Yearbook)**

	Urban municipalities				Rural municipalities				Total			
	Total	Boys	Girls	% B	Total	Boys	Girls	% G	Total	B	G	%G
Public	343547	174514	169033	49.2	951302	520785	430517	45.3	1294849	695299	599550	46.3
Private	185304	96199	89105	48.1	62634	33128	29506	47.1	247938	129327	118611	47.8
Commun	34311	17831	16480	48.0	284554	163063	121491	42.7	318865	180894	137971	43.3

ity												
Mad rasas	87923	43810	44113	50. 2	188527	11001 3	78514	41. 6	276450	153823	12262 7	44.4
Tota l Nati onal	65108 5	33235 4	31873 1	49. 0	148701 7	82698 9	66002 8	44. 4	213810 2	115934 3	97875 9	45.8

Total Number of Students 2nd cycle (Source; 2010-2011 Statistical Yearbook)

	Urban municipalities				Rural municipalities				Total			
	Total	B	G	%G	Total	B	G	%G	total	B	G	%G
Publ ic	17215 6	90220	81936	47.6	29242 7	17937 0	11305 7	38. 7	464583	26959 0	19499 3	42.0
Priv ate	53923	27706	26217	48.6	15617	8387	7230	46. 3	69540	36093	33447	48.1
Com mun ity	2768	1449	1319	47.7	911	487	424	46. 5	3679	1936	1743	47.4
Mad rasas	19346	11817	7529	38.9	12999	9877	3122	24. 0	32345	21694	10651	32.9
Tota l natio nal	24819 3	13119 2	11700 1	47.1	32195 4	19812 1	12383 3	38. 5	570147	32931 3	24083 4	42.2

The different rates (Source: 2010-2011 Statistical Yearbook of the Ministry of Education)

RATES	Cycles	Boys	Girls	Boys + Girls
Net School Enrolment Rate.	1 st cycle	68.0	56.4	62.1
	2 nd cycle	38.8	27.8	33.2

Gross School Enrolment Rate.	1 st cycle	89.1	74.0	81.5
	2 nd cycle	63.9	46.0	54.8
Gross Admission Rates	1 st cycle	80.1	69.2	74.6
	2 nd cycle	53.5	39.2	46.3
Completion Rates	1 st cycle	65.7	51.0	58.3
	2 nd cycle	43.0	29.1	36.0

2- NON FORMAL EDUCATION:

271. On the reform from 1962 to Dakar 2000 through Tehran in 1965, literacy has passed through many stages in its development in Mali:

- From **1962 to 1967**: the emphasis has been laid on literacy in the French language;
- From **1967 to 1972**: functional literacy is taught in national languages for the benefit of rural adults and workers in industrial units;
- From **1972 to 1980**: at the end of the PEMA, Mali opted for an implicit integration policy of the literacy component into the sectoral development programmes, mainly in the rural communities;
- From **1980 to 1990**: This period was marked by programme diversification and coverage of other sectors such as health;
- From **1990 to date**: This stage was characterised by the massive participation of civil society organisations (NGOs and National and International Associations) in literacy. This participation took the form of a reduction in interventions in all areas and the inclusion of new target groups. New structures came up and they include Development Education Centres (CED), Women's Apprenticeship Centres (CAFE), and Vocational Training Centres (CFP), designed for neo-literates in the peri-urban communities. New programmes saw the light of the day: the National Agricultural Extension Programme (PNVA), the Support Programme for the Agricultural Sector and Farmers' Organisations (PASAOP), which generally engaged in and implemented literacy activities.

272. Furthermore, Integration Education Centres (CEI) were established in Bénéna (CAP of Tominian). The aim of this Centre was to facilitate integration of burkinabè and Malian nationals through education.

The Overall Situation of Functional Literacy Centres in 2009-2010.

Programmes and Projects	Total No. of centres	Number of Learners			Total Number of Neo-Literates			Number of Facilitators		
		Men	Women	Total	Men	Women	Total	Men	Women	Total
Vibrant programmes	902	10963	14699	25662	6439	6935	13374	656	349	1005
ADB IV	502	5814	9987	15801	3713	7414	10767	391	129	520
NGO Centres	655	5718	14557	20275	2158	7328	9486	515	383	898
OTHERS	608	4557	11206	15763	2388	5915	8303	329	370	699
TOTAL	2685	27052	50449	77501	14698	27592	42290	1891	1231	3122

273. The management of non-formal education is mainly characterised by:

- Inadequate coordination and consultation in actions against the background of numerous stakeholders ;
- The lack of a regulatory framework governing the provision of educational services under an appropriate information management system ;
- The lack of communication on NFE which has a negative effect at the levels ;
- The lack of ownership by the local authorities and the other NFE partners ;
- The weak capacity of local authorities to implement NFE activities ;
- The lack of legal status for the literacy facilitators and educators and legal basis for accreditation of knowledge and competencies acquired;
- The low level of functionality of the literacy committees and the school management committees.

274. Concerning the current financing of Non-Formal Education, it is marked by:

- Low level of the national education budget in financing non-formal education : in 2005, out of the national education budget, 60% were allocated to basic education with only 1% for non-formal education ;
- The lack of understanding by the department of Education of information on some investment funds allocated for NFE apart from its budget ;
- The lack of resources on the part of some local authorities to take care of non-formal education due to difficulties in collecting taxes and levies and also finding partners.

275. It is a fact that Mali has embarked on Education for All (EFA) which, among others, aims at improving the level of literacy of adults by at least 50%, in particular of women by 2015, while the figure was 29.6% in 2002. It is therefore imperative to establish a reference framework to enable all the problems in the sub-sector to be addressed, thus the development of the document, the successful implementation of which is related, among others to some factors which are its trump card:

- the effective implementation of texts relating to educational decentralisation ;
- the existence of a linguistic development policy taking mostly into account the status of national languages, the accreditation of acquisitions of national languages (certification, , degrees, approvals...);
- the agreement of the population with the said policy.

276. As part of the implementation of the NFE, the following steps must be taken:

- mobilisation of resources, particularly, allocation of 3% of the education budget to non-formal education;
- capacity building;
- infrastructural development and equipment;
- partnership development;
- programme development and innovation;
- development of research action;
- development and strengthening of the literate environment;
- establishment and operationalisation of a monitoring-evaluation mechanism.

277. The challenges to be addressed in the education sector consist of improving enrolment in the area of access, quality, retention and completion by laying much emphasis on the issue of girls and the management of human and financial resources at the decentralised level.

B. The right to take part in cultural activities

278. The State of Mali, through the Ministry of Culture which was established in 2000, ensures:

- the promotion and development of a culture rooted in the values of the Malian society and

universal civilisation ;

- the development of national creation in the area of artistic and cultural works and artistic practices ;
- the protection, preservation and promotion of cultural heritage and national arts;
- the development and implementation of measures contributing to the influence of Mali's culture and promoting exchanges with other cultures.

279. The government promulgated Law No. 10-061 of 30 December 2010 on the amendment of Law No. 85-40/AN-RM of 26 July, 1985 on protection and promotion of the national cultural heritage. This Law clarifies the following issues:

- Article 1: “the protection and safeguard of the cultural heritage are carried out by the State, the local authorities and communities”;
- Article 2 : “Under the terms of this Law, cultural heritage means all the tangible and intangible cultural assets which, in the area of religion or under normal circumstances are of historical, artistic, scientific and technical and intellectual importance for the State, the local authorities, the communities, groups and individuals. The tangible cultural materials consist of moveable and immovable property”;
- Article 5: “the protection of cultural heritage is the totality of measures seeking to defend cultural assets from destruction, transformation, clandestine searches, illegal use and export and from alienation. It is done by registration, inventory and classification as part of the national heritage”.

280. The significant achievements focus particularly on:

- “the changes made in the legal arsenal, in particular concerning heritage, copyright and cinema ;
- the creation of the Ministry of Culture in 2000 ;
- the establishment of new public agencies such as the cultural missions attached to world heritage sites, la Pyramide du Souvenir, la Tour de l’Afrique, the Malian Copyright Office (BUMDA), the Conservatoire des Arts et Métiers Multimédia (CAMM) or the African Photography House (MAP) ;
- the transformation of several public agencies (National Museum, Cultural Centre, the Bamako International Conference Centre, BUMDA), into public establishments with corporate status and financial autonomy ;
- the relaunch of the Cultural and Artistic Biennial in 2003 and the establishment of new activities such as the “Balafon Triangle” International Festival¹.

281. The Ministry of Crafts and Tourism contributes also to the safeguard, protection and

¹ Taken from page 5 of the Cultural Policy Framework Document, version 3 (15 October, 2011)

promotion of national cultural heritage, on the one hand, through the tourism sector, the Malian Board for Tourism and Hotel Management and in the crafts sector, on the other hand, through the National Centre for the Promotion of Crafts and the Permanent Assembly of Chamber of Commerce of Mali. The 2009-2012 National Development Policy for the Craft Sector and its Action Plans and the 2010-2012 Tourism Development Strategy and its Action Plans are policy documents on crafts and tourism adopted by the Government in March and June 2010.

282. Several partners support the protection and promotion of cultural heritage, particularly the European Union and many of its Member States, the United States, Canada, China and the World Bank.

283. The upcoming adoption of the Cultural Policy Framework Document and the conduct of activities relating to the Action Plans under the craft and tourism policy documents herald a glowing future.

TITLE III: SPECIFIC RIGHTS

The rights of women, children, older persons and persons with disabilities (Article 18)

284. In its preamble, the Constitution of 25 February 1992 which establishes the Republican and secular form of Government, proclaims the defence of the rights of women and children .

285. According to the Constitution “The sovereign people of Mali, strong from their traditions of heroic struggle, pledge to remain faithful to the ideals of the victims of repression and the fallen martyrs of the battlefield for the rise of a rule of law and pluralist democracy (...) proclaim their determination to defend the right of women and children”.

286. In accordance with its Constitution, Mali adopted a host of laws that protect human rights in general and more specifically the rights of women and children.

287. The establishment of a department in the Ministry specifically responsible for women and children’s affairs translates the need to prioritise the protection of the most vulnerable segment of the population in terms of rights violations.

288. Through this department, a strong-willed policy has been implemented to promote and give an impetus to problems faced by women and children in the enjoyment of their rights.

289. But many other departments such as the Ministry of Social Development, Solidarity and Older Persons, Health, Local Administration and Local Authorities, Education, Internal Security and Civil Protection, Justice , Agriculture, etc., provide cross-cutting support for the promotion and protection of the rights of women and children.

The rights of women

290. In order to promote equality between men and women, the Malian authorities have made a lot of efforts to improve the legal status of women and eliminate discriminatory provisions against them, particularly by entering into many international and regional commitments and the adoption of various forms of national legislation.

291. By way of eliminating discriminatory provisions which hinder the effectiveness of the rights of women, several texts have been reviewed: the Criminal Code, the Nationality Code, the Commercial Code (authorisation from the husband is no longer necessary for a woman to trade), the General Tax Code (equality in the payment of taxes on salaries and emoluments), etc. Other texts such as the Labour Code would also be reviewed.

292. The strengthening of the legal protection of women within the family context is one of the objectives of the Code of Persons and the Family. This text aims at taking care of all aspects relating to marriage and guardianship, to nationality, matrimonial regimes, successions, donations, parenthood and civil status, including aspects relating to protection of the child and the family. It is intended to fill the numerous judicial vacuums found and to eliminate discriminatory provisions against women.

293. With regard to economic and social protection of women, many achievements have been recorded here and there through many projects and programmes initiated by the government or supported by the partners.

294. Since 2010, the Government has also established ten (10) centres for women and children with two (2) of them in Bamako and eight (8) in the regional capitals. It has also created twenty-three (23) women's self-help centres in the circles. The women and children's centres and the self-help centres have practically the same purpose, i.e. promoting women's empowerment and development of children.

295. Concerning the participation of women in public and political life, actions have been taken to integrate the gender dimension in State institutions, in the area of their representation in decision-making bodies.

296. Mali has adopted action plans to fight against violence perpetrated against women and girls. Encouraging results have been recorded through the implementation of action plans. But the need to adopt a specific text on domestic violence is necessary to effectively address this phenomenon.

297. Concerning female circumcision which is violence perpetrated against women, in spite of the fact that the Constitution guarantees physical integrity of the individual and the Criminal Code makes related offences punishable, the practice still exists because the

phenomenon is deeply- rooted in the society.

298. For now, the Government of Mali, rather than adopting a law prohibiting the practice of female circumcision, is prioritising sensitisation and education of the population. For this reason, it has established Ordinance No. 02-053/P-RM of 4 June 2002, the National Programme on the Fight against the Practice of Female Circumcision, the purpose of which is to ensure coordination, monitoring, evaluation of the policy and strategies in the fight against female circumcision.

Moreover, a national policy and its action plans to fight against female circumcision are in the process of being implemented.

299. It is an undeniable fact that many efforts have been made by the authorities to address the shortcomings in the area of legal protection of women. In spite of these efforts, some practices relating to tradition and the implementation of customary law such as the levirate and sororate and many other practices that are inimical to the dignity and health of women still persist.

300. Furthermore, it is expected that the 1992 Constitution, which is being reviewed, will help to better address some gender-related concerns, particularly on the issue of women's participation in public and political life. Indeed, Article 2, proposed paragraph 2, provides that *"However, access by women to electoral mandates and elective functions can be promoted by specific measures set out by law and regulatory texts"*

The issues of "parity" and "quota" in the system of representation of women in public and political life should be solved by implementing this constitutional provision.

301. All these stipulations concerning the promotion and protection of the rights of women in Mali are of course answers to the implementation of the African Charter and also, and more specifically, of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol).

302. Indeed, it must be recalled that this Protocol is complementary to the African Charter for the promotion of the fundamental rights of women in Africa and ensures the protection of these rights. It was ratified by Mali by Decree No. 04-479/P-RM of 26 October 2004.

303. This Protocol was adopted on 11 July 2003, at the second African Union Summit held in Maputo, Mozambique, and it enjoins African Governments to eliminate all forms of discrimination against women in Africa and to implement a policy of equality between men and women.

304. In the face of the finding of limitations in the implementation of the provisions of the Africa Charter, the CEDAW and the Maputo Protocol, etc., the Government of Mali adopted a national gender policy of Mali and its 2011-2013 action plan on 24 November 2010.

305. This policy which is founded on equality between men and women has as vision *“a democratic society which guarantees the development of all women and men through the full exercise of their fundamental equal rights, active and participatory citizenship and equitable access to resources in order to make Mali a strong emerging growth country that is proud of its values of justice, peace, solidarity and social cohesion”*

The Rights of Children

306. The promotion and protection of the rights of the child has been and remains one of the major concerns of the Malian Government; this fact is demonstrated by the various actions taken in this regard. Among these actions, one may cite the adoption of several legislative and regulatory texts at the national level including its subscription to a multiplicity of international texts.

307. Concerning ratified international conventions, one may cite, among others, the United Nations Convention of the Rights of the Child and its two Optional Protocols, the African Charter on the Rights and Welfare of the Child, the Hague Convention on the Protection of Children and Cooperation in International Adoption. The various bilateral and multilateral conventions on the fight against child trafficking are also included.

308. At the national level, specific provisions targeted at children can be found in the Criminal Code, the Labour Code, the code for the protection of children and various legislative and regulatory texts.

309. The Criminal Code of Mali broadly protects the child from sexual exploitation (Article 229) and from begging (Article 183). The texts protect girls from incitement to debauchery (Art.229), to pimping (Art. 228), paedophilia (Art. 228), indecent assault (Art. 225), rape (Art. 226 and 227) and abduction (Art.241). Heavy prison sentences are provided for against the perpetrators and the penalties involved are increased when the victim is a minor. Article 244 was specifically incorporated into the 2000 Criminal Code to define, criminalise and punish child trafficking.

310. Concerning the Child Protection Code, it repeats the numerous provisions protecting child rights contained in the marriage and guardianship codes, parenthood, nationality and particularly, the Act concerning criminal responsibility of minors and institution of courts for minors. It also lists the rights and duties of minors.

311. The Child Protection Code in particular deals with the general principles and the fundamental responsibilities of the child, the principle of equal rights for all children, and protection of children in danger and a child who contravenes the law.

312. Within the context of the fight against child labour, trafficking and child trafficking, Mali has adopted a national programme to fight against child labour, including its action plans for the elimination of child labour and also signed cooperation agreements with some neighbouring countries in order to effectively deal with child trafficking and cross-border trafficking of children.

313. Actions have also been taken to fight against begging among children but these actions fall below expectations.

314. Mali has also instituted a travel document serving as authorisation to travel for children below 18 years. The Government has established community surveillance agencies in the departure zones of children in order to support actions by the government in fighting against trafficking and child trafficking.

315. The Ministry of Justice which is the department responsible for human rights issues, through its courts and judicial service staff, carries out this protection mandate regarding the rights recognised under the Charter and by Malian legislation.

316. Regarding the organisation of the judiciary, juvenile courts have been established to rule on breaches committed by minors, which action provides greater guarantees for their rights.

317. Furthermore, there is a specialised detention centre for minors at Bollé, which hosts juvenile detainees and more specifically minor children. The establishment of this centre helps to avoid a situation where minors are detained in the same place and under the same conditions as adults.

318. A similar structure for women detainees also exists at Bollé and its objectives are to ensure better protection for the rights of women. But at this juncture, it must be indicated that underage girls are detained under the same conditions as adult women.

319. But the implementation of the law on criminal responsibility of minors and the establishment of courts for minors and texts creating and organising detention centres is below expectation, mainly as a result of inadequate independent mechanisms for monitoring and control, the lack of information on the part of the population and professionals and the dearth of courts for children and the non-existence of specialised detention centres in the regions.

320. A law was adopted in 2011 by the National Assembly on judicial reorganisation in Mali. This law is intended to address the issue of inadequate number of juvenile courts by increasing the number from one (1) i.e. the one in Bamako) to 53 throughout the country.

321. In order ensure that children's participation in public life is effective, a children's parliament has been instituted in Mali by Decree No. 96-172/PM-RM of 13 June 1996. The children's Parliament is a platform for expression which enables them to participate in public life. Furthermore, branches of such parliaments are operational at the regional and local levels.

322. The Children's Parliament is both a space for dialogue between members and other citizens of the country, a space for the expression of children, a space for dialogue and advocacy in the areas of protection, survival, development and participation by children.

323. Today, the Ministry of Women, Children and Family Affairs has, in collaboration with all the partners involved in the promotion of children's rights, embarked on the formulation of a national policy on the promotion and protection of the child including an action plan for 2013-2017.

324. The major challenges to be addressed in the implementation of this policy are: a better knowledge of the extent of the situation of vulnerable children, building the capacity of institutions operating in the area of child care through allocation of adequate human, material and financial resources and the development of a protective environment for the child.

Th rights of older persons and persons with disabilities

325. With regard to the situation of vulnerable groups, in particular senior citizens and people with disabilities, it must be noted that Mali has subscribed to international legal instruments protecting these categories of people. Indeed, the State has participated in all stages, right from the formulation to the adoption of the United Nations Convention on the Rights of Persons with Disabilities.

326. Efforts have been made for an improved protection of this group. Measures have in particular been taken by the Government for older persons through the establishment of care facilities, the construction of "the Older People's Home", the creation of a Ministry of a Ministry for Social Development, Solidarity and Older Persons.

327. Concerning access to employment by persons with disabilities, the Government is in process of recruiting several young graduates with disabilities into the public service. Training sessions on the search for employment were initiated by the National Employment Agency (ANPE), in order to facilitate their socio-professional integration.

328. The Ministry of Social Development, Solidarity and Older Persons has taken several actions, including:

- the strengthening of culture and solidarity through the celebration since 1995 of the Month of Solidarity in the fight against exclusion, with a whole week dedicated to persons with disabilities;

- the provision of a headquarters to FEMAPH, with an annual grant of one hundred and twenty-one million (121.000.000) CFA francs in 2010, and two hundred and five million (205.000.000) CFA francs for 2011;
- the integration of managers with disabilities in the management team of the department ;
- the creation of the Savings and Credit Fund for Persons with Disabilities (Disability Fund) in 1998 which in 2010 benefitted from a special grant of thirty million (30,000,000) CFA francs.
- the support for the establishment of young graduates with disabilities recruited by the public service ;
- the participation of FEMAPH as an implementing stakeholder and as an actor in the activities of PRODESS ;
- the support for the National Orthopaedic Equipment Centre (CNAOM) ;
- the supply of about ten tricycles per year to promote the movement of persons with disabilities ;
- the development of disability sports (Handisport).

TITLE IV: RIGHTS OF PEOPLES

329. The rights of peoples generally refer to the rights of a community (be it ethnic or national) to determine the manner in which it is governed, how its economy and culture must be developed². They are called group rights or solidarity rights and they include all rights such as the right to equality, to self-determination, to the free disposal of ones resources and wealth, economic, social and cultural development, to national and international peace and security and to a safe and satisfactory environment.

The right of peoples to equality (Article 19)

330. In its preamble, the Constitution of Mali reaffirms its attachment to the achievement of African unity, to the promotion of peace, regional and international cooperation, to the peaceful resolution of conflicts between States while respecting justice, equality, freedom and the sovereignty of peoples.

This formulation of the preamble which is the integral part of the Constitution reflects the will of the Malian people to live in peace with other peoples and to treat them with equality. As a proof of this, Mali has subscribed to different international and regional legal instruments which affirm and establish the right of peoples to equality.

The right of peoples to self-determination (Article 20)

² The African Commission on Human and Peoples rights, The guidelines, page 2

331. The right of peoples to self-determination is established by the Constitution of Mali in force. Indeed, by subscribing to the African Charter on Human and Peoples Rights of 27 June 1981, Mali expresses its will to make this right a reality for the people.

332. In this spirit, Mali is pursuing a diplomacy founded on the promotion of peace, regional and international cooperation, peaceful resolution of conflicts between States in the respect of justice, freedom and sovereignty of peoples.

The right of peoples to freely dispose of their resources and wealth (Article 21)

333. The right of peoples to freely dispose of their resources and wealth is based on the principles of independence and the sovereignty of States. The State of Mali has recognised this independence and sovereignty of States in its Constitution of 25 February 1992 in Article 25, which provides that : “Mali is an independent, sovereign, indivisible, democratic, secular and social Republic”.

334. To give concrete expression to this will, Mali has adopted a Mining Code, Estate and Land Code for the management of all the resources, particularly in respect of mining, wildlife and fishery resources.

335. Furthermore, since 1995, it has resolutely committed itself to the ambitious policy of decentralisation which enables the local authorities unfettered administration, in particular of local resources and wealth for the benefit of their communities.

The right of peoples to economic, social and cultural development (Article 22)

336. The right of peoples to economic, social and cultural development is recognised in Mali. It is exercised through public policies and development programmes and projects.

337. Since 2002, Mali committed itself to the formulation and implementation of the strategic framework for growth and poverty reduction, the specific objectives of which are: (i) to accelerate growth and (ii) improve the well-being of the population.

338. This framework which is a single development reference in Mali deals with civil, political, economic, social, cultural and solidarity rights of the people of Mali. It perceives development in a comprehensive and holistic approach which has enabled the poverty index to move from 56% in 2006 to 43.6% in 2010.

339. This right reflects in the development of infrastructure, the strengthening of technical supervision, support for the private sector and/or the creation of events, the enhancement and protection of heritage. In other words, they include:

- the creation, renovation and modernisation of some spaces and cultural infrastructure, for instance : the Medina Fort at Kayes, the Carrefour des Jeunes, the Craft Villages, the House of Artisans, the Museums ...) ;

- the establishment of permanent training structures for artistes in the area of design, assembly, production and management of events (e.g.: the National Conservatory of Multimedia Arts and Crafts in Bamako, Sabou Gnouma Centre at Kita, Domo Centre at Ségou...) ;

- support and/or organisation of cultural events (Toukagouna, Artistic and Cultural Biennial, Cultural Re-entry, Africa Show, Top Etoiles, Case Sangha, various festivals...) ;

- enhancement and safeguard of the heritage (PADESC, VNU Sangha...).

340. Also, the main development indicators have improved as shown in the table below:

N°	INDICATORS	2006 ³	2010 ⁴
1	Current GDP at market prices (in billions of CFAF)	3176,7	8 996,4 (2009)
2	Real GDP growth rate (in %)	5,3	5,8
3	Life expectancy at birth (in years)		49 (2009)
4	Incidence of monetary poverty (in %)	56	43,6
5	HIV/AIDS prevalence among adults (in %)	1,3	
6	Household with access to drinking water (in %)	63,60	75,5
7	In urban communities (in %)	63,40	79,3

³ MIEC, 2007 Implementation Report of the GPRSP, June 2008

⁴ Source : Government of Mali/WB/UNICEF

8	In rural communities (in %)	63n70	73,90
9	Proportion of malnutrition among children under the age of 5 (in %)	38	18.9
10	Rate of infant mortality (per every 1.000 live births)	96	95.8
11	Rate of child mortality (per every 1.000 live births)		101 (2009)
12	Rate of infant and child mortality (per every 1.000 live births)	191	178.9 (2008)
13	Rate of maternal mortality (per every 100.000 live births)	464	460 (2009)
14	Gross enrolment rate (GER) in primary schools (in %)	74,4	83,4
15	Girls (in %)	65,6	74,9
16	Boys (in %)	89,1	92,2

341. The 2012 – 2017 Growth and Poverty Reduction Strategic Framework envisages a Mali that is emergent and has a better quality of life for all.

The right of peoples to peace and international security (Article 23)

342. In spite of the various challenges currently confronting the State, the aspiration to live in a secure environment is a constant concern of the Malian people. That is the reason why Mali is resolutely committed to the fight against terrorism and banditry in all its forms.

343. It is within this context that Algeria, Mali, Mauritania and Niger have together established a Joint Military Staff Operational Committee (CEMOC) within the framework of the fight against terrorism and transnational organised crime.

344. This Committee, established in April 2010 is based in Tamanrasset (Algeria), within the framework of strengthening military and security cooperation relations among the member countries.

345. Mali enjoys very good relations with all neighbouring countries. Thus, military cooperation relations link Mali with almost all these countries, particularly Algeria, Niger, Burkina Faso, Republic of Guinea and Mauritania.

346. In essence, these agreements are designed to strengthen military relations among countries without posing any threat to any third country. They allow, as the case may be, to grant facilities for the transit of military hardware, training of interns in any one of the countries or even the organisation of joint patrols in the territories of the countries concerned.

347. Mali is making a sizeable contribution to the promotion and consolidation of peace in Africa, through the Alioune Blondin BEYE Peace-keeping School. This national school with a regional character (ENVR), is ranked by ECOWAS among the schools of excellence in the area of peace-keeping in Africa. In addition to observers, this school trains contingents before their deployment to the various operational zones. African countries invite the EMP to send its instructors to train their forces on the ground.

The modules taught include among others: training for Peace-keeping, Disarmament, Demobilisation and Reintegration (DDR), logistical internships, civilian cum military actions, civilian policing (CIVPOL)

The right of peoples to a safe environment (Article 24)

348. The protection of the environment is a priority for the Government of Mali and it is the basis for sustainable socio-economic development. The priority is affirmed in Article 15 of the Constitution of 25 February 1992 which provides that “Every person has the right to a safe environment. The protection, defence of the environment and the promotion of the quality of life are the duty of all and of the State”.

349. The commitment of Mali to the protection of the environment has been shown through the copious legislation in this regard. Numerous texts focus on the preservation of natural resources, protection of the environment and the living environment in general. One can cite the following, among others:

- Law No. 01-020 of 30 May 2001 on pollution and nuisances;
- Law No. 02-013 instituting phytosanitary control in the Republic of Mali;
- Law No. 02-014 instituting certification and control of pesticides in the Republic of Mali;
- Decree No. 01-396 establishing modalities for the management of sound pollutions;
- Decree No. 01-397 establishing modalities for the management of atmospheric pollutants;
- Decree No. 01-394 establishing modalities for the management of solid waste;
- Decree No. 01-395 establishing modalities for the management of waste water;
- Decree No. 03-594/P-RM on environmental and social impact study.

350. Mali has participated actively in the development of international legal instruments and ratified a large number of instruments. The State also developed a National Environmental Protection Policy (PNPE) in 1998 and the National Environmental Action Plan (PNAE) in order to address environmental challenges, sustain natural resources and improve the living environment of the local population.

351. In 2002, Mali established a Ministry of Environment and Sanitation, also marking clearly its commitment to the protection of the environment.

The mandate of this Ministry is to preserve forestry, fishery and wildlife resources and improve the living environment of the population both in the rural and urban areas.

352. The process of developing the PANA started in 2005 and ended in 2007. The PANA comprises 19 priority adaptation project sheets to counter the negative effects of climate change.

353. Concerning sanitation and the fight against pollution and nuisances, Mali developed a national sanitation policy in 2007. Sanitation facilities (gutters and drains, sewage systems, improved latrines) have been completed to improve access by the population to adequate sanitation. The low level of completion of sewage systems and improved latrines results from inadequate available financial resources.

354. The government by Decree No. 2011-107/ P-RM of 11 March 2011 has established a National Climate Change Committee. It has further by Law No. 10-027 of 12 July 2010, established the Sustainable Environment and Development Agency as a national public entity with an administrative character. The mandate of the agency is to:

- Ensure the coordination of the implementation of the National Environmental Protection Policy (PNPE) and to;
- Ensure the incorporation of the environmental dimension in all sectoral policies.

TITLE V: DUTIES AS SET OUT IN THE CHARTER

Duty of promoting and guaranteeing human rights (Article 25)

355. In order to promote human rights, the Government of Mali has established a National Education Programme for the Culture of Peace, Democracy and Human Rights. This programme has helped to develop the necessary teaching tools for the teaching of human rights and fundamental freedoms in the area of education.

356. As part of acquiring knowledge of human rights by the population, the government put in place the Human Rights Promotion and Protection Support Project (APPDH) and the Joint United Nations Programme for the Promotion and Protection of Human Rights and Gender. The programmes have highly contributed to the dissemination of human rights among the people and the different stakeholders in the domain.

357. Mali is continuing with its duty of promoting the respect of rights and freedoms contained in the Charter by implementing the Ten-year Justice Development Programme (PRODEJ), through the 2010-2014 Operational Plan, with particular emphasis on the Component IV : improving access to justice and promoting human rights and gender.

358. It must also be recalled that in promoting human rights and freedoms, the National Commission on Human Rights and Civil Society play an eminently important role.

Independence of the judiciary and establishment of national institutions for the promotion and protection of human rights (Article 26)

359. The Constitution of Mali recognises the power of the judiciary and establishes its independence in Article 81. The judicial power is the custodian of freedoms. It ensures the respect of rights and freedoms and it is responsible for enforcing the Republican laws.

360. Apart from this independent judicial power, there is a national human rights promotion and protection institution: The National Human Rights Commission.

361. This institution, which was established by Law No. 09-042 of 19 November 2009, is an advisory organ. Its operational costs are borne by the Government.

Duty of respecting others and to consider them without discrimination (Article 28)

362. Article 2 of the Constitution of Mali of 25 February 1992 provides that “*all Malians are born and are free and equal in terms of rights and duties. Any discrimination based on social origin, colour, language, race, sex, religion and public opinion is prohibited*”.

363. The same Constitution stipulates a number of duties that fall on the citizen: the duty for all to protect and defend the environment and the quality of life, the duty for all citizens to provide support in the event of a natural disaster, work, defence of the fatherland, the duty to honour all civic obligations and particularly to pay one’s taxes, the duty of respecting the Constitution (Articles 15 to 24).

364. The individual must respect others without discrimination in order to promote reciprocal tolerance. Furthermore, he has responsibilities of moral and material assistance towards his family and his parents. He must be patriotic and must not compromise the security of the State, he must preserve and strengthen national independence and territorial integrity of the fatherland and generally contribute to the promotion of positive African cultural values and the promotion and the attainment of African unity.

Other duties (Article 29)

Paragraph 1: Duty of preserving the harmonious development of the family

365. The individual has duties both towards the family, the society, the State and the other authorities legally recognised and towards the international community.

366. Thus, Article 31 of the African Charter on the Rights and Welfare of the Child provides that: “*Every child has responsibilities towards his family, the society, the State and any other community legally recognised and to the international community. The child, based on his*

age and his abilities and subject to the restrictions contained in this Charter has the duty to:

- work towards family cohesion, respect his parents, his superiors and older persons by all circumstances and assist them where necessary;*
- serve the national community by placing his physical and intellectual abilities at its disposal;*
- preserve and strengthen the solidarity of the society and the nation;*
- preserve and strengthen African cultural values in his relationships with other members of the society in the spirit of tolerance, dialogue and consultation, to contribute to moral well-being of the society;*
- preserve and strengthen national independence and the integrity of his country;*
- contribute to the best of his abilities and in all circumstances and at all levels to promote and attain African unity”.*

367. This provision is repeated in Article 21 of the Child Protection Code of 5 June 2002.

368. The traditional African education that parents generally provide their children naturally imposes on the latter a number of duties both to their own parents and to the family and the entire community.

369. The observation of a good conduct of the child towards his parents and all other members of the family, the respect due to elderly persons and his superiors are generally rules which are taught by parents and the African society to children. The Malian legislation on the child is also replete with this code of conduct.

370. In the face of the constant disintegration of families and family relations, of the lack of parental authority vis-à-vis their children, the lack of time that parents have for the education of their children, all such things that breach the moral values of our society, and which as a consequence, dangerously affect the sense of responsibility and duty of citizens, the Government of Mali, through the Ministry of Women, Children and Family Affairs has established by Decree No. 06-282/P-RM of 11 July 2006, the National Council on Family Affairs

The mandate of the Council is to make proposals concerning the general policy of the family, propose all measures relating to the improvement of conditions and the status of the family and to provide advisory opinion relating to family affairs which are then submitted to the Minister responsible for family affairs.

Paragraph 2: Duty of placing his physical and intellectual capacities at the service of the State

371. Article 19 of the Constitution provides that:

“The right to employment is recognised and shall be equal for all. Every citizen has a duty to work but one may only be restricted to specific employment in the case of fulfilment of a service of exceptional public interest, equal for all according to the conditions defined by law”

372. In addition to the Constitution, one may cite:

- the Labour Code ;
- the general Statute on Civil Servants ;
- the Child Protection Code.

Paragraph 3: Duty not to compromise the security of the State.

373. Law No. 01-079 of 20 August on the Criminal Code of Mali provides for and sanctions in Chapter II, Section II, crimes that breach the homeland security of the State or the integrity of its territory. The sanctions provided for to that effect ranges between life imprisonment and the death penalty.

Paragraph 4: Duty to preserve national social solidarity

374. The social protection in the country is characterised by its inadequacy in terms of coverage rates and services provided. Indeed, only about 10% of the population really enjoy the formal mechanisms offered by social protection and the services that concern only these areas through the establishment of the Compulsory Health Insurance (AMO), covering the civil servants and employees who fall under the Labour Code;

- cover 5% of the population (the poor), through the establishment of the Medical Assistance Fund (FAM).

376. Towards this end, Mali has enacted two fundamental texts in the area of social security. They are:

- Law No. 09-015 of 26 June 2009 on the institution of the Compulsory Health Insurance Scheme. The Compulsory Health Insurance aims to cover the health risk of civil servants of the State and local administrations, the military, parliamentarians, employees governed by the Labour Code, either active or retired, and for their rightful claimants. The people affiliated to the INPS Voluntary Insurance Scheme can also join the scheme. It gives one the right for direct care for a part of the expenses in the area of preventive and curative

care and the medical rehabilitation required by the state of health or by the maternity of the beneficiaries.

- Law No. 09-030 of 27 July 2009 on the establishment of the Medical Assistance Regime (RAMED). It provides for the coverage of healthcare expenses of people who are indigent and are unable to pay for health expenses in public hospitals, referral health centres, community health centres, public health facilities for medical tests and State health services or health facilities that have signed agreements with the Ministry of Health.

Paragraph 5: Duty of contributing to the defence of one's country.

377. This duty is established by Article 22 of the Constitution of the Republic of Mali: "*defence of the homeland* is the duty of every citizen".

378. This defence is an obligation which nobody can absolve himself from by any form of excuse. Naturally, this duty is more pronounced for the military under Law No. 02-055 of 16 December 2002 on the General Statute of the Military which states in Article 1 that: "*The Army of the Republic is at the service of the Nation. Its mandate is to prepare and ensure the defence of the Republic form of government, the democratic gains and the supreme interest of the Nation and homeland where necessary by using the power of arms*".

Paragraph 6: Duty of working and honouring its contributions to the State

379. Article 23 of the Constitution provides that every citizen must work towards the common good. He must fulfil all his civic responsibilities, in particular by making monetary contributions.

Paragraph 7: Duty of preserving African cultural values

380. The African cultural values are preserved through the revitalisation of these values by the different events organised both at the national level as well as the regional and international levels.

381. The different festivals are characterised by the participation of similar communities from neighbouring countries (eg: Soninké Festival ...). The same applies to the various exhibitions and thematic meetings such as:

- the International Tourism Fair of Bamako (SITOUR) ;
- the Week of Creativity and Crafts of Mali (SCAMA) ;
- The Textile Fair;
- The Furnishing and Decoration Fair;
- The Commercial and Crafts Week of Mali in Guinea (SCAMG);

- the Festivals of Crafts and Tourism of Mali in Europe (France- 10th Edition, Spain...), in the United States.

Paragraph 8: Duty of contributing to the promotion and achievement of African Unity

382. Mali has made a resolute choice of integration. Born within the context of integration, Mali has committed itself irreversibly to the development strategy as evidenced by the different Constitutions from independence to date.

383. Indeed, Article 117 of the Constitution provides that: “The Republic of Mali may enter into an agreement of association or community consisting of a partial surrender or total sovereignty with any African State in order to achieve African unity”

384. Furthermore, the recent establishment in the government architecture of a department devoted to African integration is the tangible expression of the commitment of Mali on the path to African integration.

385. The same thing is applicable to the establishment by Decree No. 00-195/P-RM of 19 April 2000 of the National Commission for African Integration. The key mandates of the Commission, among others, are to advise the Government on issues relating to the development of the national policy on African integration and to propose all measures likely to accelerate the African integration process.

386. Finally, the organisation of the “National Week of African Integration” is the translation of this unbreakable and immutable commitment of Mali to proceed towards African integration.

387. Indeed, the Ministry of African Integration has been organising since 1994 of the “National Week of African Integration” which is held from 18 to 25 May of every year through the following activities:

- the Caravan of Integration ;
- the night of African folk tales and legends;
- the conference-debates and the tasting of African food specialities ;
- the night of integration (with two concerts, one at the Independence Square and the other at the Palace of Culture) ;
- sporting activities.

Sporting activities organised on 25 May of every year, comprising two football matches. The first is a gala match between the members of Government and representatives of the diplomatic corps accredited to the Republic of Mali and the second one between a selection of the African community in Mali and the communal team of the Bamako District.

CONCLUSION

388. Mali has ratified the major international human rights instruments as well as the international humanitarian law instruments and has domesticated some of these provisions into its national legislation.

389. In addition, to give effect to these international and national texts and ensure compliance with its international human rights obligations, Mali has adopted and implemented different policies, programmes and measures for the promotion and protection of human rights.

390. Mali is actively participating in the work of the Human Rights Council and the African Commission on Human and Peoples' Rights within which our compatriot Maitre Soyata MAIGA is a Commissioner. During its sessions, the government regularly presents progress report on the human rights situation in the country.

391. Against this background, it must be recalled that in May 2008, during its mandate at the Human Rights Council, the human rights situation in Mali came under the spotlight for assessment within the framework of the universal periodic review mechanism.

392. At the regional level, governance in Mali, including that of human rights has also been reviewed within the framework of the African Union's Peer Review Mechanism.

393. The conclusions of these two reviews show that considerable progress has been made in achieving some rights but there are still challenges to be addressed in other areas.

Progress achieved :

- In the area of popularisation of rights:

394. The Malian human rights approach is a comprehensive and integrated approach that lays emphasis on the normative aspect and prioritises promotion actions with the view to enhancing the emergence and deep-rootedness of a culture of democracy and human rights within the society.

395. It is within this framework that on 10 December of every year, a national human rights platform is organised dubbed "The Democratic Discussion Forum" (E.I.D.) where the citizens directly call the members of government on possible cases of human rights violations to which they fell victim in the course of the year.

396. Furthermore, the adoption of a National Citizenship Education Programme falls into this same education dynamics of popularising the value of democracy and human rights in the society.

397. Similarly, with the support of its partners in the United Nations system, the Government has put in place a joint support programme for the "Promotion of Human Rights and Gender

in Mali” with a mandate to promote knowledge of human rights and ensure their implementation for the period 2008 – 2012. Thus, this programme aims at consolidating and strengthening the achievements of the Human Rights Promotion and Protection Support Programme that Mali has implemented with the support of the UNDP.

- In the area of harmonisation with the ratified conventions:

398. In spite of Article 116 of the Constitution according to which, the agreements duly ratified take precedence over laws, Mali has incorporated some instruments into its legislation by adopting in particular, the child protection code and the law on criminal responsibility of minors and the establishment of juvenile courts for minors.

399. However, it must be pointed out that Article 116 is not always interpreted by all the stakeholders in the same way. Indeed, some think that it means a ratified convention can be directly applied by the judges. Others, on the contrary, interpret it to mean that, in case of conflict between the ratified convention and a law, it is the former that is applied.

400. In any case, in Mali, the reality is that, in spite of the existence of provisions of Article 116, judges are not quick to directly enforce the ratified agreements.

401. In this regard, it is proper to recall the recommendation made by the APRM in paragraph 142 of the evaluation report of Mali, requesting the government to “review Article 116 in order to establish a constitutional obligation of incorporating the provisions of international legal instruments to which Mali is a signatory into the domestic legal system”.

- In terms of civil and political rights:

402. Political pluralism and the full exercise of public freedoms are two essential indicators of the rule of law and democracy. In this regard, in the area of civil and political rights, one can affirm that the normative and institutional framework of Mali provides all the guarantees for the exercise of individual and collective freedoms; this can be proved by the very large number of political parties (more than about one hundred), of non-governmental organisations and human rights defence associations.

403. Furthermore, aware of the important role of justice, the foundation for any democratic plan, the government has adopted a Ten-year Justice Development Plan (PRODEJ) with the support of the technical and financial partners in order to strengthen the material and human capacity as well as those relating to human rights protection in the administration of justice. The intended objective is to strengthen the independence of the judiciary and promote a better distribution of justice in the country.

404. Concerning the adoption of the Code of Persons and the Family and the abolition of the death penalty, national opinion is divided. Indeed, though the former is before the National

Assembly for the second reading, the consideration of the draft law on the abolition of the death penalty is still being expected.

405. Without any prejudice to what will be the outcome of the consideration by the National Assembly regarding these two texts, it must be pointed out that their adoption by Mali is a recommendation that has consistently been renewed by international human rights bodies.

- Concerning the specific rights of women, children and other vulnerable persons:

406. Concerning the situation of women and children, it must be noted that the persistence of some practices deemed to be harmful is due to, at least, a lack of political will rather than the pressure of traditions. To address the situation, the government has decided to prioritise education and awareness raising rather than to adopt a law the implementation of which could prove to be ineffective where the population is not brought on board

407. Thus, within the framework of the fight against female circumcision, domestic violence and child labour, the Government has adopted a National Programme against Violence perpetrated against women and girls and a national programme against child labour. The implementation of these programmes is on-going and it is yielding encouraging results.

408. In any case, the promotion of women, children and other vulnerable persons is one of the main components of the national policy for the promotion and protection of human rights in Mali.

That is the reason why a Ministry was specifically created for women, children and family affairs and a Ministry for social development, solidarity and older persons.

409. The objective is to ensure that the gender dimension is properly taken into account in the development and improved protection of vulnerable persons.

410. Moreover, the process of integration of the gender dimension within State institutions has culminated in the adoption of incentive schemes to encourage the presentation of female candidates in the various elections. This should eventually promote the participation of women in public and political life.

- Concerning economic and political life:

411. On economic, social and cultural rights, the government has since 2002 adopted a Strategic Framework to Combat Poverty (CSLP) as a reference framework for all development policies in order to ensure improved consistency in development policies and programmes. The second generation of this framework dubbed Strategic Growth and Poverty Reduction Framework (CSCR), which covers the period 2007-2011, is being implemented.

412. The CSLP takes into account the guidelines of the Millennium Development Goals (MDGs) adopted by the UNO.

413. Furthermore, in implementing the right to education, the government has adopted a series of policies and measures which have helped in achieving concrete results.

414. It is within this context that the Ten-year Education Development Programme (PRODEC) was adopted and it is in response to measures recommended by the International Covenant on Economic, Social and Cultural Rights in the area of Education. This programme which has received the support of multilateral and bilateral technical and financial partners has brought about a better design and planning of education as well as significant reforms and educational and teaching innovations.

415. Thus, the implementation of the educational Sector Investment Programme (PISE), which is the operational plan for PRODEC, has helped to achieve significant progress in terms of an increase in the gross enrolment rates in basic education, improvement in the quality of teaching and learning and the management of the education sector.

Thus, the enrolment rate at the first cycle of basic education grew from 67% in 2002 to 77.6% in 2007, to reach 82% in 2010.

416. Finally, it must be pointed out that the Economic and Social Development Project (PDES) of the President of the Republic, Mr Amadou Toumani TOURE, gives a pride of place to human rights. The implementation of the PDES will eventually strengthen the achievement of human rights in Mali.

417. There is the need to mention in particular the adoption of the food security policy, social accommodation programme and promotion of youth employment by the government, and more recently the Compulsory Health Insurance and the Medical Assistance Fund.

However, in spite of these significant developments, a lot of challenges and constraints still persist.

2- Challenges and Constraints :

418. Mali still faces difficulties and constraints relating directly to the geographical situation and the persistence of some traditional practices related to the socio-economic context.

419. These difficulties and constraints are:

- the failure to popularise the texts and human rights protection mechanisms (non-publication of texts of ratified instruments in the Gazette).

This has created a situation where the international instruments and mechanisms are not known by the judges and judicial assistants and much less by the ordinary citizens;

- the lack of harmonisation of the national legislation with the international legal instruments on human rights ;
- the red-tape regarding the judicial procedures and the low rate of access by the citizens to justice delivery;
- the conflict between modern law and customary law in certain areas ;
- the lack of operational capacity on the part of State and non-State actors in the promotion and protection of human rights, in particular the weakness of the National Human Rights Commission (CNDH) ;
- the persistence of some practices related to tradition, such as female circumcision , the levirate, sororate and child labour ;
- the issue of the abolition of the death penalty ;
- poverty and the high rate of illiteracy ;
- the recurrent threat to peace and security, particularly in the North of the country ;
- the low rate of participation in elections ;
- the non-existence of a direct implementation by Malian judges of international human rights legal instruments and the non justiciability of economic, social and cultural rights of Mali is also a challenge to be addressed.

420. It must also be mentioned that during the review of Mali as part of the Universal Review Mechanism, in the face of some shortcomings identified, the Human Rights Council, among others, made the following recommendations:

- the adoption of the draft text on the Code of Persons and the Family ;
- the abolition of the death penalty in Mali ;
- the adoption of a specific legislation on female circumcision and domestic violence;
- the fight against child labour and child trafficking ;
- the guarantee of the independence of the judiciary and the adoption of measures to reduce overcrowding in the prisons.

421. Finally, it should be stated that from independence to date, in particular since the advent of the rule of law and democracy in 1991 till today, Mali has made significant progress in promoting and protecting human rights.

422. These achievements are worth mentioning today and quite rightly so, as an example of democracy and respect of human rights in Africa; thus the country enjoys a good reputation on the international scene.

423. However, this good image should be constantly maintained and consolidated by the Government and stakeholders of civil society to ensure that our country continues to be esteemed by the international community.

424. In terms of prospects in the area of human rights the government proposes to do all it can to consolidate the gains and take steps to address the challenges.

425. Also, the areas where shortcomings have always been identified by the international mechanisms, in particular in terms of promoting and protecting the rights of women and children should be a matter of special attention by the Government.