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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review

MALI

Addendum

**Responses to the five recommendations of the
Working Group for action by Mali***

* The present document was not edited before being sent to the United Nations translation services.

**RESPONSES TO THE FIVE RECOMMENDATIONS OF THE
WORKING GROUP FOR ACTION BY MALI**

**1. To extend a standing invitation to all special procedures mandate-holders
(Czech Republic)**

1. Mali is willing to cooperate fully with all special procedures of the Human Rights Council. It undertakes to give careful consideration to any request for a visit addressed to it by the special procedures.

2. To enact legislation prohibiting all forms of female genital mutilation (FGM) in line with recommendations made by the Human Rights Committee, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child (Netherlands);

To consider the practicability of enacting legislation prohibiting FGM (Japan);

To enact legislation prohibiting all forms of FGM (Ireland);

To adopt legislative and other measures, including awareness-raising campaigns, to eradicate harmful traditions and practices undermining the equal enjoyment of human rights by women; and, in particular, to adopt legislation prohibiting and criminalizing FGM as well as domestic and other forms of violence against women (Czech Republic);

To promptly adopt appropriate legislation which prohibits excision and all forms of FGM and ensures that those responsible for excision are duly prosecuted and punished (Switzerland);

To take, together with sensitization campaigns, the necessary legislative measures to combat FGM (Mexico);

To ensure that laws combating FGM and forced marriages are compatible with its international human rights obligations and that resources are allocated, including through multilateral international cooperation, to fully implement such laws (Portugal);

To take the necessary measures to implement the recommendations of the Committee on the Elimination of Discrimination against Women and the Human Rights Committee concerning violence against women and FGM (Canada)

2. Excision is a cultural practice deeply rooted in Malian society. While the Government recognizes the need to adopt a law prohibiting and penalizing female genital mutilation, it has given priority to public education and awareness-raising campaigns rather than the adoption of repressive measures whose application in the field cannot be guaranteed without the support of all segments of society. It is in this context that, in 2002, the Malian Government introduced a National Programme to Combat the Practice of Excision. It has also adopted a National Plan to Combat the Practice of Excision. The Government's educational efforts succeeded in reducing the excision rate from 94 per cent to 85 per cent between 1996 and 2006. A national excision

survey is in progress in the country; its results will determine the action to be taken as regards the adoption, in the medium term, of an act prohibiting and punishing the practice of excision.

3. With regard to violence against women and girls, it should be noted that the Malian Criminal Code punishes all forms of violence, including domestic violence. Moreover, the ongoing National Plan to Combat Violence against Women and Girls, 2006-2011, provides for a whole series of activities concerning not only excision but also other forms of violence against women and girls. These activities range from the creation of mechanisms for action, victim support and information, education and communication to the review of existing legislation and the adoption of new laws.

3. To establish full legal equality between men and women with a view to abolishing any discrimination and all violence, including domestic violence suffered by women and girls, and legally ban FGM (Luxembourg, para. 19)

4. The review of the Marriage and Guardianship Code which has been conducted over the past few years led to the preparation of a draft Personal and Family Code that calls for the repeal of all provisions discriminating against women. The national consultations on this draft have already been completed, and the resultant report was officially submitted to the President of the Republic on 22 May 2008. The report will shortly be adopted by the Government, then placed before Parliament.

N.B. For questions relating to violence and the legal prohibition of female genital mutilation, see the responses to item 2 above.

4. To continue and increase awareness-raising efforts in the struggle against forced labour, paying special attention to the Bellah or the Tamacheks (United States)

5. The Constitution and legislation prohibit forced labour. The Bellah or black Tamacheks are not subjected to any form of forced labour, which is forbidden by Malian law. However, in some parts of the country certain cultural practices have survived, although they are tending to disappear with the rise in the school enrolment rate in the community concerned.

5. To revise the so-called “insult law” (Czech Republic);

To respect the freedom of opinion and expression and to abstain from imposing penal sanctions on journalists because of their articles (Canada)

6. The Constitution of Mali recognizes the right to freedom of opinion and expression and freedom of the press (arts. 4 and 7). Under these provisions, the rights and freedoms concerned are exercised within the framework of the law. The Press Regulations and Press Offences Act and the Criminal Code prescribe penalties in this area. However, there is an ongoing debate in the country on the question of decriminalizing press offences. The tendency is towards decriminalization of such offences.
