

UNIVERSAL PERIODIC REVIEW- HUMAN RIGHTS COUNCIL

UNICEF INPUTS – MALI

I. Contextual Framework

1. Mali is a landlocked sub Saharan country with 1, 241, 230 square km. and a population of more than 12 millions, of whom 54% are less than 15 years old. The situation of the country is characterized by extreme, widespread chronic poverty: Mali ranks 175th out of 178 countries on the 2005 UN Human Development Index (HDI) and 136th/140 countries on the Gender-related Development Index (GDI) in 2005. According to the latest PRSP, there has been a gradual reduction recorded in the levels of poverty from 68.8% in 2001 to about 55.97% in 2006. Women and children in rural areas are most affected by poverty.

2. In recent years, the country has experienced exceptional political stability, the strengthening of its democratic process and the beginning of decentralization. There is genuine political will to improve the situation of children and women, as the Government has demonstrated by its decision to provide certain health-care services (delivery by caesarean section and treatment of malaria for children under the age of 5 and pregnant women) and free basic education. One of the major challenges is to ensure proper management of the substantial inflow of development assistance and to increase the share of the national budget allocated to the social sectors with a view to improving the country's performance in social services. Although significant progress has been made, the results have fallen short of expectations and achieving the Millennium Development Goals will not be easy.

3. Mali is a signatory of most international human rights instruments including the Convention on the Rights of the Child (CRC) in 1990, the Convention on the Elimination of all forms of discrimination against Women (CEDAW) in 1985 and the Millennium Development Goals. The Ministry for the Promotion of Women, the Family and the Child was created in 1996 to promote and protect the rights of women and children in the country. The UNDP/HCDH mission to Mali in 2000 noted two phenomena affecting rights: (a) the arsenal of legal instruments promoting rights and (b) the "*numerous obstacles to enjoying those rights*". For instance, the Family Code has been drafted to advance women's rights so that they more closely match those of men, especially with regard to marriage, inheritance, land ownership, divorce and obtaining of nationality. However, this Bill has been stalled since early 2000 due to pressure from traditional and religious leaders questioning the issues of polygamy and the proposed age of marriage for girls.

4. In 2002, Mali adopted the first strategic framework for combating poverty, the PRSP 2002-2006. The second generation of the PRSP has recently been adopted for the period 2007-2011 with the objective to significantly reduce the poverty in the country through an economic growth of around 7% and the strengthening of the public sector. As a result of the Heavily Indebted Poor Countries initiative, Mali has undertaken to increase the budget for essential social services, which still remains below the targets of the 20/20 initiative.

II. Trends

1. Despite important progress made during the last years to improve the situation of children and women, Mali still faces many challenges to realize children's and women's rights. In January 2007, the Committee on the rights of the Child examined the second periodic report of Mali and noted that many of the previous recommendations "have not been sufficiently addressed, including the recommendations regarding birth registration, corporal punishment and ill-

treatment, neglect and abuse of children, female genital mutilation and early and forced marriages, economic exploitation, discrimination against certain vulnerable groups of children and the reform of the juvenile justice system”¹.

2. The Committee has strongly recommended the preparation of a rights-based national action plan covering all areas of the Convention and taking into account the Millennium Development Goals and the Declaration and Plan of Action adopted at the special session of the General Assembly on children, entitled “A world fit for children”. In addition, the Committee highlighted the importance to adopt and implement a legislation to prohibit early marriage and female genital mutilation (FGM). It also expressed concern at the inadequate budget resources allocated to the well-being of children and at the widespread phenomenon of child beggars and the abuse, violence and exploitation to which children are subjected.

3. The Committee also highlighted the importance to submit the country’s initial reports under the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, which were due in June 2004. Mali is invited to submit a consolidated third, fourth and fifth report by 2012 and to seek technical assistance from UNICEF to ensure the full implementation of the Committee’s recommendations.

4. Despite the government’s commitment and efforts to reduce poverty and inequality, official data indicates that Mali will have difficulties in reaching the Millennium Development Goals. Concerning Goal 1, the situation is characterized by the failure to control population growth, insufficient economic growth, unequal distribution of the benefits of growth and limited access to basic services in rural areas. Nevertheless, the implementation of the 2002-2006 Poverty Reduction Strategy Framework (PRSF) has helped to reduce the level of income poverty from 68.8% in 2001 to about 55.97% in 2006.

5. With respect to Millennium Development Goals 2 and 3, a review of the situation in the education sector shows limited educational opportunities and a school system marked by low quality, high costs and poor performance. The combined net enrolment rate (NER) for boys and girls rose from 51 per cent in 2002-2003 to 57 per cent in 2005-2006. Despite the priority given to the education of girls, the gap between the net enrolment rate for boys (64 per cent in 2005-2006) and that for girls (49 per cent in 2005-2006) is still very wide. Although the total number of students has greatly increased, the student/teacher ratio has slightly improved (57 students per teacher in 2002 compared with 53 in 2005-2006).

6. Under Millennium Development Goals 4, 5 and 7, despite some improvement between DHS III 2001 and DHS IV 2006, Mali has one of the highest infant mortality (96 per 1 000 live births) under five mortality (191 per 1 000 live births) and maternal mortality (582 per 100 000 live births) rates in the world. Like many other Sub-Saharan African countries, the principal causes of infant/child mortality are malaria, respiratory infections, diarrhea, malnutrition, and diseases such as meningitis. Malnutrition has worsened between the two DHS mentioned above. The wasting rate increased from 10% in 2001 to 13.3% in 2006 for the under five children. The survival of the young child is also threatened by underlying causes such as the poor health of pregnant women, their lack of education which results in their not having access to quality health services, and the general lack of hygiene and of potable water.

¹ CRC/C/MLI/CO/2, 2007

7. The prevalence of HIV/AIDS has decreased from 1.7% in 2001 to 1.3% in 2006. However, the pandemic is affecting women to a greater extent (1, 5 %) than men (1 %) and the knowledge on the means of prevention is low and unequal: 50% of women (out of whom 55% are adolescent girls) and 22% of men (out of whom 30% are adolescent boys). Among the estimated 75,000 children made vulnerable by HIV/AIDS, only 5,060 children infected and/or affected by the disease receive proper treatment. Despite the availability of funding and the existence of a strategic plan to combat HIV/AIDS, little concrete action has been taken.

8. With regard to the protection of children, there is little information on child labor, on the exploitation and abuse of children and on violence against them. The national child labor survey carried out in 2005 by the National Statistical and Information Office shows that child labor is a troubling reality, particularly for girls from rural areas working as domestic servants. About two out of every three children aged 5 to 17 years are economically active, which amounts to more than 3 million girls and boys throughout the country. Other surveys show a low level of awareness among children (approximately 50%) and their parents (approximately 40%) of the rights of the child and of the relevant international conventions. According to the third population and health survey, 92% of adult women are victims of Female Genital Cutting. The national survey of birth registration conducted in 2004 showed that only 48% of children under the age of 5 are entered in the civil registry (50% of boys and 46% of girls).

9. If poverty is one of the major obstacles for the realization of human rights, the social and cultural status of the woman in the Malian society in their multiples roles as spouses, mothers, workers and as citizens is another one at the top of the list. Ironically, although traditionally regarded as the pillars of the family and of society, that is predominantly a patriarchal one; women in Mali continue to be objects of persistent discrimination, of violence and marginalization. There is certain hostility in the social and cultural environment in regard to women which prevents them from being considered as a whole citizen. In general, little girls are raised to be totally dependent and submissive, and in most cases, they are denied schooling by their own parents who would rather invest in the education of their sons.

10. Violence affects women in many spheres of their lives including in the family, the workplace, in the street, and the community. There are 19 harmful traditional practices in Mali out of which the majority are gender based such as FGM/C, early and forced marriage. Illiteracy also constitutes a form of violence that deprives a woman from knowledge and keeps her in a position of inferiority, exploitation, submission and dependence. Moreover, there are national laws that need to be modified or abolished because they are discriminatory per se, and are in conflict with a number of international human rights treaties.

III. Capacity Building Efforts

1. As a result of its commitment to democracy, coupled with a strong political will, as demonstrated over the last decade by making human development a top national priority and by taking steps to promote and protect the human rights of all its citizens, Mali has enjoyed significant attention from bilateral and multilateral organizations alike and greatly benefited from major funding sources. However, there remain large gaps in the capacity of policy managers and civil society organisation to secure and monitor results for children and women.

2. The effort of UNICEF country office and other UN agencies consists of providing the conceptual framework for a country programme using the human rights approach as the basis. The 1997 and 2001 SITAN conducted in Mali, based on the principles and standards of the CRC and the CEDAW, were an important milestone for UNICEF to provide programming guidance

for the HRBAP. Making the SITAN a national reference document, it has become the vehicle for national dialogue and serves as an important reference for programming for the period 1998 - 2002, 2003-2007 and recently 2008-2012.

3. UNICEF Mali interventions are guided by the CRC, the CEDAW, and the goals of “A world fit for children” and the MDGs 2, 3, 4, 5, 6 and 7, where the added value of UNICEF has been proven. UNICEF in Mali is working to guarantee children’s and women’s rights through four components 1) child survival and development, 2) equal education with emphasis on girls education, 3) child protection and 4) promotion of rights to make the MDGs a reality for children and women. Given the country context, it is clear that survival and education are the primary programme components. HIV/AIDS and gender equality are cross cutting issues and mainstreamed in UNICEF programming.

4. UNICEF’s added value in Mali lies in its capacity to play a strong leadership role with regard to children’s rights advocacy. A key role of UNICEF in Mali lies in the strengthening of national partners for the implementation of the CRC and CEDAW commitments. Efforts have been made to harmonise the national legal framework with these human rights instruments, integrate their principles in national development policies and programmes such as the PRSP and to strengthen the competencies of stakeholders in HRBAP and RBM in order achieve results for children and women.

5. The Mali experience with the HRBAP demonstrates the changing role of UNICEF. Whereas before, it was more involved with neutral interventions that had little, if any, controversial political dimensions, nowadays, it has to play multiple roles as facilitator, catalyst, and as an active advocate of children and women’s rights.

6. In addition, situational and policy analysis is an essential aspect of UNICEF’s work with the Malian government, law-makers, the media, civil society and international organizations on behalf of children and women. A big effort has been made to put in place and make operational Mali’s social and economic database, referred to as the “Malikunnafofi”, which uses DevInfo technology. This tool will allow for monitoring and assessment of national development programmes including the PRSP. With the technical support from UNICEF, the statistical bulletin on the situation of women and children was compiled in 2006 using Malikunnafofi. The results of the fourth population and health survey, carried out in 2006, will be used to update the indicators on women and children. A human rights training manual and a guide for the training of trainers in results-based management are being used to strengthen the capacity of those responsible for the implementation of national policies and programmes.

7. The process of conducting a SITAN using a HRBAP revealed the need to strengthen Mali’s data base and carry out studies in a number of problem areas. In 2007, UNICEF Mali undertook two major studies on: (i) child and woman poverty and disparities and (ii) the Knowledge, Attitude and Perception & Practices on child & women rights in the family, the community and the society at large. The findings from those studies will help to develop and implement specific strategies to improve the child and women’s rights in Mali.

8. UNICEF in Mali has also made the connection between the decentralization process and the exercise of human rights by observing that as local populations assume control of their development and the satisfaction of their needs it provides an enabling environment for the promotion and protection of human rights. Ultimately, decentralization facilitates children and women as subjects of rights to claim their human rights.

9. The UN Country Team in Mali benefited from UNICEF's experience with the HRBAP and the SITAN, in the preparation of the CCA and UNDAF which place a strong emphasis on human rights, particularly children's rights. This provides an opportunity to maintain the focus on children's rights as a national development priority.

10. The most significant recent development was the preparation of the United Nations Development Assistance Framework (UNDAF) by the UN Country Team in Mali, for the period 2008-2012, which place a strong emphasis on human rights. This was a major breakthrough for the integration of human rights as a major priority. Specific references are made to human rights as a cross-cutting issue, to the international human rights conventions as guiding references, and to the application of the rights-based approach in the execution of different programmes. In 2007, a situation analysis (study) of the human rights in light of the 2007-2011 PSRP was completed by the UN team and the findings were discussed by the members of the National Commission of Human Rights in Mali. The UN team undertook in 2007 a diversified large capacity building by the training of government partners, NGOs and UN agencies staff (42 participants).

IV. Strategic Partnerships for the Promotion and Protection of Children and Women's Rights

1. The responsibility of fulfilling the rights of children and women is a "collective responsibility" and not solely the responsibility of the government. Moreover, this understanding allows for less finger-pointing and encourages focusing efforts to strengthen a whole range of partnerships for promoting and protecting the rights of children and women.

2. In terms of strategies, UNICEF Mali works on a continuous and innovative strategic partnership and a political dialogue at the national level through existing coordination and cooperation mechanisms with the aim of influencing national policies and strategies. This partnership also aims at the mobilization and use of funding for children (to reduce gender disparities and take into account vulnerable and marginalized populations).

3. The existence of a national vision reflected in the poverty reduction strategy papers and sectoral programmes endorsed by all of Mali's technical and financial partners and of a coherent United Nations system framework in the form of UNDAF provides an opportunity for effective partnership. Moreover, in accordance with its mandate, UNICEF Mali will continue to engage in advocacy with decision makers and partners to ensure that the rights of children are promoted and respected.

4. The principle of shared programming by all agencies of the United Nations system in the fight against HIV/AIDS and in strengthening national capacities has already been adopted. The same applies to combating malnutrition with the World Food Programme. An interagency human rights programme is currently being elaborated.

5. UNICEF in Mali has pursued and built new partnerships, particularly with NGOs that focus on human rights, which are essential for achieving the goals and objectives of the country programme of cooperation. Alliances and partnerships with civil society organizations in Mali should be maintained as they are critical for "promoting a culture of human rights" in such a complex society with numerous cultural barriers, and for achieving national ownership of the advances in the implementation of the CRC and CEDAW.