



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Ninety-sixth session

### Summary record of the 2795th meeting

Held at the Palais Wilson, Geneva, on Friday, 10 May 2024, at 10 a.m.

*Chair:* Ms. Skelton

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Consideration of reports of States parties (*continued*)

*Combined third to fifth periodic reports of Mali (continued)*

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*The meeting was called to order at 10.00 a.m.*

**Consideration of reports of States parties** (*continued*)

*Combined third to fifth periodic reports of Mali (continued)* ([CRC/C/MLI/3-5](#); [CRC/C/MLI/Q/3-5](#); [CRC/C/MLI/RQ/3-5](#))

1. *At the invitation of the Chair, the delegation of Mali joined the meeting.*
2. **The Chair**, welcoming the delegation and the Permanent Representative of Mali to the meeting, explained that additional members of the delegation would be participating via video link.
3. **Mr. Van Keirsbilck** (Country Task Force) said that he wished to clarify two of his questions from the previous meeting: he had asked how the rights of children were realized in Tinzaouaten commune, which was an area that hosted displaced persons, and how the continuation of the disarmament, demobilization and reintegration programme would be ensured.
4. **The Chair** invited the delegation to respond to the questions raised by Committee members at the previous meeting.
5. **A representative of Mali** said that the school curriculum had been adapted to include environmental protection issues. In collaboration with the United Nations Children's Fund (UNICEF), a water, sanitation and hygiene (WASH) programme was being implemented, which involved training teachers, and there were school governance structures that addressed children's concerns about hygiene and water. Hygiene days, such as World Toilet Day, and environment days were marked, reforestation campaigns were conducted each year, and roadshows also raised awareness of environmental protection. The issues set out in the Committee's general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, were areas of concern. Her Government was party to the United Nations Framework Convention on Climate Change and the related Paris Agreement, and had voluntarily reviewed its nationally determined contribution (NDC) in 2021 to add the waste sector to those of agriculture, energy, and land use and forestry that were already covered. Gender was addressed as a cross-cutting issue in climate change, and a structural investment plan had been developed with all stakeholders, for which funding was being sought. Women, children, Indigenous Peoples and those in other situations of vulnerability were also taken into consideration. Her Government spoke up at the international level in discussions on climate change.
6. In some areas of the country, responsibility for access to water fell on men and boys, rather than women and girls. Access to water was addressed as part of the One Health approach, and the Ministry of Health and Social Development and the Ministry of the Environment worked together on the issue. Public-private partnerships had been developed to serve hard-to-reach areas, a presidential project was supporting the sinking of numerous boreholes for water, and local communities were involved in determining the best solution for access to water, with both traditional and modern options available. The WASH programme represented an attempt to combine humanitarian action and development assistance.
7. The revision of the NDC under the Paris Agreement had followed a process that began at the commune and regional level and had involved focus groups and input from civil society organizations, including youth organizations. The Children's Parliament had also been involved in the process at the national level. Young people's concerns had been taken into account at every stage, although there were no specific indicators for young people. The national climate adaptation plan was under review, and the Government was seeking funding for the revised plan, which would incorporate elements that had been missed in the initial plan. A national gender and climate change focal point had been appointed in 2019, who would be responsible for indicators relating to girls, boys and Indigenous Peoples. All the action currently being taken was intended to leave a legacy of a liveable environment. Environmental and social impact assessments were made of any project that might have a negative social or environmental impact, and certain areas – including some that were rich in gold – were protected from exploitation. Fossil fuel use would need to be phased out, and

plans were in place to plant trees to replace the wood used as fuel during that transition, including the so-called One student, one tree initiative in schools. Efforts were under way to introduce a circular economy, and programmes were being drawn up to reduce waste production and greenhouse gas emissions as far as possible. Another area of activity was the creation of parks for recreation, which would be inherited by the children of the future.

8. **A representative of Mali** said that a 10-year education development programme, accompanied by a multi-year plan of action and a budget, had been introduced to ensure that education was available across the country. It contained contingency and resilience measures to ensure that children could access education in all contexts. Under the Mali Improving Education Quality and Results for All (MIQRA) project, which was being implemented in cooperation with the World Bank Group, school infrastructure was under construction. A national forum on education had recently taken place to review the education system and determine how to achieve universal schooling. Since the new Constitution had established the national languages of Mali, a bilingual curriculum would be introduced so that children could learn in their mother tongue, rather than in a foreign language as was currently the case.

9. In 2022, the total budget allocated to schooling – including spending on public and private institutions, the administration of education and private subsidies for students and households – was approximately 18 per cent of the national budget, or 4 per cent of gross domestic product. To improve the ratio of learners to teachers, under a presidential initiative, 2,000 classrooms were being renovated or built, and the national budget for 2023 provided for the recruitment of 500 teachers. Under the MIQRA project, 11 new secondary schools, including 1 for girls, were being constructed, and access to educational materials would be supported through the launch of a procurement process for schoolbooks. The construction plans for classrooms and schools were inclusive; toilets had been built in a number of schools to allow girls to continue to attend during their menstrual periods, and classrooms with ramps had been built to ensure access for persons with disabilities. A strategic plan for hygiene and sanitation in schools had been adopted in 2023.

10. Alternative education models and access centres helped to reach children who were not attending school or who had dropped out, and an accelerated access initiative was aimed at quickly reintegrating children aged between 8 and 12 into school. According to the household survey that had been carried out in the period January–March 2023, school enrolment rates for boys and girls were initially similar but started to differ in the second cycle – the last three years – of basic education, with girls having a lower rate. The rate of enrolment in the first cycle – the first six years of basic education – had been improving since 2020, with the rate of enrolment for girls in 2021 broadly on target. The number of government-funded school canteens had increased, thanks to general budgetary support from the European Union, and measures had been introduced to support students with albinism, including the provision of creams and glasses, and to raise awareness of albinism among schoolchildren.

11. Specific examples of education in human rights included the recent adoption by the Government of a national programme and plan of action on values, and the organization of seminars on integrating content related to the prevention of violent extremism into the curriculum at the basic and secondary levels of education. Teachers also received training on human rights issues and living in harmony. The stigmatization of girls who became pregnant while at school had been left in the past – girls could continue their studies during pregnancy and return to school once they were able, without penalization. Special funding was provided to schools to help students with children. The 2007 policy for girls' education was being reviewed to bring it into line with the new mandate of the National Directorate for Basic Education.

12. Circular Letter No. 2024-000101/MEN-SG of 24 January 2024 on the banning of corporal punishment had been followed up through inspections and oversight. School directors had been suspended for the use of corporal punishment in two cases. A national committee had been established to operationalize the Safe Schools Declaration and a bill on the matter was under consideration by parliament. Community meetings organized under the Safe Schools Declaration discussed the reopening of schools in areas where armed groups rejected the State's educational model; recent meetings had taken place in the centre and north of the country. Agreements on the reopening of schools, at least in areas liberated by

the army, generally involved the introduction of modern schooling that nonetheless respected local habits and customs, such as the teaching of certain moral values.

13. The process of drafting an inclusive education policy had been launched the previous day. The protocols in force at the Ministry of Education required inclusivity to be taken into account in all action on education. A national policy on teachers had just been adopted, which included measures for training and continuous professional development. Accelerated training was provided to equip teachers who did not have a background in education with the requisite skills, and an evaluation was conducted at the end of the course. A teachers' peer training community had been set up in order to reduce the cost to the State of teacher training. An initiative had been introduced to establish a coordinated curriculum framework across the Sahel region.

14. **A representative of Mali** said that the national food security plan and the related institutional framework had been set out in a decree of 2017, with bodies at the regional and subregional levels. The plan aimed to draw on physical and financial strategic reserves in order to respond to seasonal food issues and improve living conditions for populations experiencing food insecurity. Action taken included the distribution of grain free of charge and efforts to boost people's livelihoods. Presidential initiatives encompassed monetary transfers, capacity-building for women and young people, and the implementation of environmental microprojects. Individuals in need of support were identified by an early warning system, which allowed a link to be made between the initial list of those in need and those who received food aid. A food security commission was responsible for those efforts, which it carried out together with national non-governmental organizations (NGOs) and local authorities. Eighty carriers were involved in the transportation of grain, which were supplied from regional stocks; deliveries were approved by the mayor or mayor's representative, and reports on deliveries were drawn up. The final stage of the national food security plan involved the physical distribution of grain, which was sometimes provided as food aid for vulnerable groups.

15. A new edition of the plan was drawn up each year following an assessment of the food security situation and was then submitted to the National Food Security Council for approval. All State and non-State actors working to tackle food insecurity, malnutrition and poverty were involved in its implementation. Steps had been taken to improve the monitoring and evaluation of efforts to implement the plan. The priorities established in the 2024 edition included the provision of 22,870 tonnes of grain as food aid, the purchase of 5,000 tonnes of livestock feed and 600 tonnes of feed for fish and poultry, the establishment of a scheme facilitating the purchase of food, and the creation or restoration of 20 market gardens. The Government's partners aimed to provide emergency food aid to around 1.3 million individuals and support the livelihoods of approximately 2.1 million persons engaged in agriculture. Support could be provided in a variety of forms, such as the distribution of free food, cash transfers, the food purchase scheme and drought insurance, thus enabling the Government to better tailor its response to the issues faced and the population's needs and dietary habits.

16. **A representative of Mali** said that the bill on the criminalization of slavery contained provisions establishing victims' young age as an aggravating circumstance. Any attempts to deprive children of their right to an education on the grounds that their parents were slaves would be punishable by up to 5 years' imprisonment and a fine of 1 million CFA francs (CFAF). The bill also provided for the punishment of parents or guardians who allowed children to be exploited or forced into labour, whether or not for payment, and for the classification of such acts as slavery.

17. A total of 35 children were currently living in prison with their mothers, mostly in facilities in Bamako and a number of regional capitals. Children could live with their mothers up to the age of 3 years, after which the mother was required to designate a guardian to care for the child outside the facility. Children for whom no such guardian was appointed were placed in institutions. Efforts were under way to prevent children from being detained alongside their parents and to mitigate the impact of that practice on the children concerned. With regard to children in conflict with the law, a juvenile detention and education centre had been established in Bamako. Such children from other parts of the country were housed in dedicated units within adult prisons.

18. All necessary provisions on dealing with children in conflict with the law would be incorporated into the draft criminal code. Steps would also be taken to ensure that the matter was addressed in the regulations implementing the new Constitution, thereby formalizing the way in which such children were handled within the traditional justice system. While diversion mechanisms had taken some time to begin functioning properly, there had been progress in that area in the previous two years. Malian officials had travelled to Switzerland to participate in training on criminal mediation, and steps had been taken to appoint criminal mediators. A pilot project was being run in the Kati administrative subdivision, as part of which 16 cases had been handled through criminal mediation.

19. Bamako was the only region that was home to a specialized children's court; in other regions, cases involving children were heard by ordinary judges. Consideration would be given to whether to establish more such courts. Training sessions were organized for children's judges and other stakeholders working with children in conflict with the law, and a number of judges had recently received training that would enable them to begin handling such cases. Efforts would be made to inform children of their rights to gain access justice by translating information on that topic into all the country's official languages.

20. Children in conflict with the law could not be sentenced to death or life imprisonment. In the event that children committed capital offences or crimes punishable by life imprisonment, the maximum sentence handed down to them was 20 years' imprisonment. Children who committed less severe crimes could receive prison sentences that were up to half as long as the sentence that would be handed down to an adult. She had been taken aback to hear the Committee mention an alleged case in which a death sentence had been handed down to a minor and would be grateful if the Committee could provide further details, so that the Government could begin to investigate the claim.

21. Lists of fees charged for legal services were on display in courts. Individuals who wished to obtain a court ruling as a replacement birth certificate, for example, were required to pay a fee of CFAF 5,500. While child-rearing responsibilities usually fell to mothers, the Persons and Family Code provided for the primacy of fathers in cases of conflict between the two parents. Ultimately, however, the courts would make decisions based on what was in the best interests of the child.

22. Efforts to prepare the reports due under the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict were at a very advanced stage. The lack of procedures in place for handling cases in which children were recruited by armed groups meant that no arrests had been made for that crime.

23. **Ms. Aho** (Country Task Force) said that she would be interested to hear whether people were familiar with the procedure for the issuance of court rulings as substitute birth certificates, whether they were able to afford the fee of CFAF 5,500 and whether such rulings enabled an individual's birth to be recorded in the civil register. With regard to the Children's Parliament, it would be helpful to learn how many children sat in it, how those children had been selected, when they had held their most recent session and what topics they had addressed. She wished to know what steps had been taken to encourage more individuals to join the universal health insurance scheme, as it was the Committee's impression that the scheme was poorly understood. The delegation might wish to provide information on the 2023–2026 national strategic plan for tackling HIV, tuberculosis and hepatitis, the measures taken to implement that plan and the outcomes achieved so far.

24. **Mr. Van Keirsbilck**, noting the delegation's comments that 1 of the 11 secondary schools of excellence being built would be exclusively for girls, said that he wished to know whether the remaining 10 schools would be for boys only or would serve students of both sexes. It would be helpful to hear the delegation's comments on the progressive decrease in school enrolment rates, to learn about the education provided to students once they had completed the two cycles of compulsory schooling, and to find out what percentage of students aged over 16 remained in school and how many completed secondary education. More detailed information would be appreciated on the content of the bill on safety in schools and on the closure of a growing number of schools owing to security challenges. In the area of justice, the Committee was concerned that the maximum sentences handed down to

children were extremely long; it accordingly encouraged the State party to take account of general comment No. 24 (2019) on children's rights in the child justice system when reforming its own system.

25. **Ms. Otani** (Coordinator, Country Task Force) said that she would like to know whether specific provisions guaranteeing consideration of children's best interests had been integrated into the State party's laws. She would welcome an update on the status of the bill on child protection and wondered whether children were involved in the drafting process.

26. **Mr. Jaffé** (Country Task Force) said that he would be grateful for the delegation's comments regarding the fact that the State party's NDC to the global response to climate change made no mention of the role played by children and young people in preparing that report and addressing climate change.

*The meeting was suspended at 11.25 a.m. and resumed at 11.45 a.m.*

27. **A representative of Mali** said that the first National Plan of Action for the Elimination of Child Labour had been drawn up to cover the period from 2011 to 2020 and had been allocated a budget of close to CFAF 26 billion. While the Plan had not been implemented in full owing to a lack of funds following the 2012 crisis, it had served as a framework for the development of many measures aimed at tackling child labour. A second edition of the Plan had been formulated for the period from 2023 to 2027 and had been assigned a budget of more than CFAF 6 billion. The Plan was currently under consideration by an interministerial group, which would then submit it to the Council of Ministers for adoption. Mali was a signatory to the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182) and was committed to tackling that phenomenon. A number of government bodies, including the National Unit to Combat Child Labour, and civil society organizations had run campaigns to raise awareness of the situation of children working on gold mining sites and had taken steps to identify such children, remove them from the sites and reintegrate them into society. While there had been an overall significant drop in the number of children working on gold mining sites, the Government had been unable to help children working on sites located in areas affected by insecurity. It hoped, however, that the improved security situation would enable it to reach those areas shortly.

28. **A representative of Mali** said that the budget earmarked for the Ministry of Health and Social Development was set out in the finance act and stood at CFAF 154.8 billion for the 2024 financial year. With regard to the challenges faced by health-care establishments in conflict zones, the greatest problem had been the fact that medical personnel working in those zones had been forced to leave, rather than the destruction of the establishments themselves. Nonetheless, the liberation of certain zones meant that such personnel had begun to return, including in the Kidal region.

29. According to the sixth demographic and health survey, in 2018, the maternal mortality rate had been 325 deaths per 100,000 births and the neonatal mortality rate had been 33 deaths per 1,000 births. The seventh survey was currently being conducted, and he was hopeful that it would show an improvement in those rates. While all caesarean sections were carried out free of charge, any blood transfusions required during that procedure were not covered by the free health-care scheme. A reproductive health programme for adolescents had been established in order to prevent unwanted pregnancies among that group. The AIDS prevalence rate had stagnated at around 1.1 per cent, and there were 1,465 centres for the prevention of mother-to-child transmission.

30. The Government had established a multisectoral nutrition plan for 2021–2025, one of the aims of which was to address overweight and obesity through communication campaigns and the promotion of behavioural changes, healthy diets and physical exercise. An action plan was in place to tackle smoking and other types of addiction, as part of which a range of activities, such as awareness-raising campaigns, had been organized to prevent addiction among children. Local authorities had been tasked with implementing awareness-raising and safety measures at sites on which workers were exposed to mercury. The World Health Organization and UNICEF had estimated that immunization coverage was 67 per cent for the third dose of the diphtheria-tetanus-pertussis vaccine and 70 per cent for the first dose of the measles vaccine. Efforts to meet the target rate of at least 90 per cent had been affected by the insecurity in the country and the coronavirus disease (COVID-19) pandemic. Steps being

taken by the Government to improve those rates included the strengthening of training strategies, the provision of equipment, the implementation of catch-up programmes in 37 health districts, the integration of vaccination into other health services and the development of innovative immunization strategies in conflict zones and remote areas.

31. Media campaigns had been run to raise awareness of the risks involved in begging. Efforts had also been made to provide indigent individuals with access to income-generating activities. The cash transfer scheme had been launched to provide needs-based support aimed at mitigating the social impact of the COVID-19 pandemic. The Government provided assistance to all displaced persons, without exception. The National Directorate for Social Development was responsible for identifying such persons and provided a weekly update to the Ministry of Health and Social Development. There were currently a total of 329 makeshift camps for displaced persons across the country. One official centre had already been built, and two more were under construction.

32. **A representative of Mali** said that the cost of the replacement birth certificate was affordable and included both registration and court fees. The entire procedure could be completed at the offices of the municipal authorities.

33. As part of reforms to the justice system, restorative justice was being prioritized and the focus would be shifted towards rehabilitating rather than punishing children in conflict with the law. The principle of the best interests of the child was enshrined in all relevant laws, including the memorandum of understanding between the Government of Mali and the United Nations system in Mali relating to the transfer of children associated with armed forces or armed groups. Organizations such as the Children's Parliament involved children in the drafting of laws and allowed them to express their views. The bill on safety in schools was intended to implement the Safe Schools Declaration; it covered all forms of assault and threats against teachers and other staff and students in schools. The Ministry of Justice would be responsible for overseeing the implementation of the law after its enactment.

34. **A representative of Mali** said that the bureau of the Children's Parliament comprised 28 girls and 33 boys aged between 12 and 16. During the selection process, local authorities in all regions of the country sent letters to schools, academies, children's shelters and other organizations inviting them to put forward candidates for the bureau. Secret ballots were held to allow the children to elect representatives to the positions of chair, vice-chair and rapporteur from among regional representatives, and the results were published. In December 2022, the Parliament had decided to set up a working group on peace and reconciliation. The bureau presented reports and a wide range of institutions made submissions to the Parliament. The children themselves were responsible for hearing and discussing petitions concerning various issues.

35. The bill on child protection had undergone its first reading and was being amended to take into account the comments received. It would then be submitted for a second reading. The bill addressed sensitive issues and the Government wished to ensure that all views were considered. Pursuant to the memorandum of understanding between the Government of Mali and the United Nations system in Mali relating to the transfer of children associated with armed forces or armed groups, all children rescued from armed groups by national or foreign forces were immediately referred to the appropriate regional directorate of the Ministry for the Advancement of Women, Children and the Family, which provided them with psychosocial care. Attempts were made to reunite the children with their families, provided that it was safe and in the child's best interests to do so. The children were given support with reintegration into the education system and social life.

36. The purpose of the national multisectoral strategy to end child marriage was to raise awareness of the risks associated with the practice and to encourage victims to lodge complaints. The issue must be addressed in a cautious manner, given the cultural sensitivities around establishing the marriage age at 18 years.

37. **A representative of Mali** said that, whenever children were apprehended by the police or the military, they were handed over to the relevant authorities in Bamako within 48 hours. The first phase of the national disarmament, demobilization and reintegration process was set to end in the very near future, and recommendations for future processes in the absence of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) would be considered.

38. **A representative of Mali** said that of the 11 schools of excellence, only 2 would be built solely for girls in order to promote the study of science, technology, engineering and mathematics subjects. The President had inaugurated a school of excellence for girls in Kayes in September 2023 and another would be established in Ségou. Figures had shown that the school completion rate had risen among some segments of the population but had fallen among others. The National Directorate of Non-Formal Education and National Languages offered literacy and vocational courses for children over 16 who dropped out of school. The 1,960 schools had closed owing to various factors, including a lack of teachers, and not for security reasons alone. It was not a particularly high figure; they accounted for only 10 per cent of all the country's schools.

39. **A representative of Mali** said that refugees had the same rights as Malian nationals under the law on the status of refugees. Child refugees were generally identified through registration, monitoring and protection operations conducted by the National Commission for Refugees, with the support of the Office of the United Nations High Commissioner for Refugees. Campaigns had been conducted to register the births of internally displaced children and issue them with birth certificates. Births must be registered within 30 days, and there was currently no derogation from that rule. Significant progress had been made with the digitalization of civil status certificates, with the support of UNICEF, and the Government planned to equip all regional authorities with digital management systems. Mobile courts had been set up to increase the birth registration rate. Efforts were being made to further increase the birth registration rate. The courts automatically issued birth certificates free of charge for all babies who were registered. The proportion of children whose births had been registered but who had not received certificates was low, at between 3 and 5 per cent. There were approximately 8,000 centres at which births could be registered around the country.

40. **A representative of Mali** said that the most recent meeting of the Children's Parliament had taken place in March 2024, during which children had discussed the question of giving donations to internally displaced persons. The Parliament sat in Bamako and a bus service was provided to transport children from different regions of the country.

41. The State monitored children residing at private reception, listening, guidance and accommodation establishments, and followed up on children after they had left the establishments where it was deemed appropriate. The State also provided support to help reunite those children with their families. Part of a fund for women's empowerment and child development was allocated to support children from families with low incomes, and the Government also helped unemployed parents engage in income-generating activities.

42. **A representative of Mali** said that blood for transfusion was not provided with caesarean kits. However, anyone who needed a transfusion was given blood free of charge.

43. **Ms. Otani** said that she wished to thank the members of the Malian delegation for their active participation in the constructive dialogue, in which they had highlighted both cooperation with international partners and civil society and the adoption of a decentralized approach focusing on communities. She hoped that the dialogue and the Committee's concluding observations would serve as a useful guide to assist Mali in the fulfilment of its obligations under the Convention.

44. **A representative of Mali** said that, pursuant to the Persons and Family Code of 2011, mothers and fathers had a duty to protect the best interests of their children by exercising parental authority. Article 10 of the African Charter on the Rights and Welfare of the Child differed from article 16 of the Convention: the Charter specified that parents had the right to exercise reasonable control over their child's behaviour, which meant that there was no conflict with the provisions of the Persons and Family Code. Considerable efforts were being made, in cooperation with technical and financial partners and NGOs, to complete the review of the bill on child protection, with a view to adopting it in 2025.



45. Thanking the Committee for the fruitful and constructive dialogue, she said that the Government was committed to guaranteeing the rights of children. It would improve the collection of statistics, continue to adopt legislation to ensure the protection of children, and bolster agreements with development partners to that end.

*The meeting rose at 1 p.m.*