



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined third to fifth periodic reports of Mali\*

#### I. Introduction

1. The Committee considered the combined third to fifth periodic reports of Mali<sup>1</sup> at its 2794th and 2795th meetings,<sup>2</sup> held on 9 and 10 May 2024, and adopted the present concluding observations at its 2816th meeting, held on 24 May 2024.

2. The Committee welcomes the submission of the combined third to fifth periodic reports of the State party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party, including the various legislative, institutional and policy measures to implement the Convention, in particular the adoption of the interministerial circular on preventing the recruitment of children into the armed forces or armed groups, in 2013, the adoption of the national policy for the promotion and protection of children, in 2014, the adoption of decree No. 2021-0662/PT-RM and Order No. 5445/MSDS-SG, in 2021, for the implementation of Law No. 2018-027 on the rights of persons with disabilities and the adoption of the multisectoral national strategy to end child marriage, 2022–2026.

#### III. Factors and difficulties impeding the implementation of the Convention

4. The Committee notes the particularly severe effects of the ongoing armed conflict, political instability and presence of armed groups in the State party, which have led to severe violations of children's rights and constitute a serious obstacle to the implementation of the rights enshrined in the Convention and the two Optional Protocols thereto that the State party has ratified. Moreover, the stalled implementation of the Agreement on Peace and Reconciliation has worsened the situation by creating a gap in the protection of children's rights in Mali, including regarding the recruitment and use of children in armed conflict,

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\* Adopted by the Committee at its ninety-sixth session (6–24 May 2024).

<sup>1</sup> [CRC/C/MLI/3-5](#).

<sup>2</sup> See [CRC/C/SR.2794](#) and [CRC/C/SR.2795](#).

<sup>3</sup> [CRC/C/MLI/RQ/3-5](#).



violence against children, the denial of their right to education and the impact on their survival, due to acute malnutrition, which affected an estimated 1 million Malian children in December 2023, and the magnitude of population displacement.

5. The Committee reminds the State party of the continuity of international human rights obligations and that the rights under the Convention and Optional Protocols apply to all children at all times. The Committee urges the State party to stop the use of excessive and lethal force against civilians and to prevent further violence against children, including killing and injury.

#### **IV. Main areas of concern and recommendations**

6. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: harmful practices (para. 26), health and health services (para. 33), standard of living (para. 36), the aims and coverage of education (para. 39), administration of child justice (para. 48) and children in armed conflict (para. 50).

7. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

##### **A. General measures of implementation (arts. 1, 4, 42 and 44 (6))**

###### **Reservations and declarations**

8. **The Committee, in line with the recommendations contained in its previous concluding observations<sup>4</sup> and its statement on article 5 of the Convention, urges the State party to consider withdrawing its reservation to article 16 to the Convention.**

###### **Legislation**

9. **The Committee recommends that the State party urgently adopt the child protection bill, taking into account all the previous recommendations of the Committee and ensuring that it is in full compliance with the principles and provisions of the Convention.**

###### **Comprehensive policy and strategy**

10. **While noting the information provided by the State party on a national policy and action plan for the promotion and protection of children, adopted in 2014 and currently under evaluation, the Committee recommends that the State party adopt a comprehensive policy on children that encompasses all areas covered by the Convention and develop a strategy for its implementation with sufficient human, technical and financial resources.**

###### **Coordination**

11. **The Committee urges the State party to ensure that the National Directorate for the Promotion of the Child and the Family, following its 2019 reform, is an appropriate**

<sup>4</sup> [CRC/C/MLI/CO/2](#), paras. 8 and 9.

body at a high interministerial level with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at the national, regional and local levels and across sectors. The State party should ensure that said coordinating body is provided with the necessary human, technical and financial resources for its effective operation.

#### Allocation of resources

12. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recalls its previous recommendations<sup>5</sup> and recommends that the State party:

(a) Conduct a comprehensive assessment of the budget needs of children and allocate adequate budgetary resources, in accordance with article 4 of the Convention, for the implementation of children's rights and in particular increase the budget allocated to social sectors and education and address disparities on the basis of indicators related to children's rights;

(b) Develop detailed budget lines for all planned, enacted, revised and actual expenditures that directly affect children, with special attention paid to those in disadvantaged or vulnerable situations that may require affirmative social measures, including children with HIV/AIDS, orphans, children living in poverty and those living in rural and remote areas;

(c) Continue to increase the budgets dedicated to the delivery of services aimed at allowing children to enjoy their rights;

(d) Strengthen audits to increase transparency and accountability with regard to public expenditure across all sectors and adopt measures to eradicate corruption and to reduce irregular expenditure, in order to mobilize the maximum available resources for the implementation of the rights of the child.

#### Data collection

13. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

(a) Expeditiously improve its data collection system at the national level and ensure that data collected on children's rights covers all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, in order to facilitate analysis of the situation of children, in particular those in situations of vulnerability, including by continuing to use the multiple indicator cluster survey;

(b) Ensure that statistical data and indicators on children's rights are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;

(c) Continue its technical cooperation with the United Nations Children's Fund (UNICEF), among other entities.

#### Access to justice and remedies

14. The Committee recommends that the State party:

(a) Ensure that all children, including children with disabilities and children in rural areas, have access to confidential, child friendly and independent complaint mechanisms in schools, alternative care settings and detention for reporting all forms of violence, abuse, discrimination and other violations of their rights and legal support and representation and age-appropriate counselling and remedies, including compensation and rehabilitation;

<sup>5</sup> [CRC/C/MLI/CO/2](#), para. 20.

(b) Raise awareness and widely disseminate information about existing mechanisms for reporting violations, violence and abuse, including the child helpline and the portal for reporting online violence, and provide sustainable funding for such services to ensure that they are accessible, confidential, child-friendly and effective;

(c) Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.

#### Independent monitoring

15. The Committee recommends that the State party:

(a) Expeditiously establish, within the National Human Rights Commission, a special unit specifically responsible for monitoring children's rights;

(b) Ensure the privacy and protection of child victims and undertake monitoring, follow-up and verification activities for victims;

(c) Guarantee sufficient human, technical and financial resources to support the National Human Rights Commission.

#### Dissemination of the Convention and awareness-raising

16. The Committee recommends that the State party strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations and communities, to ensure that the Convention and the Optional Protocols thereto are widely known by the general public, including parents and children themselves.

#### Cooperation with civil society

17. While welcoming the adoption of Law No. 2018-003 on human rights defenders and the pledge made by the State party during the seventy-fifth anniversary of the adoption of the Universal Declaration on Human Rights, namely, to better guarantee, within the framework of respect for the law, freedom of expression and opinion, through a free civic space, while ensuring better protection for human rights defenders, and recalling that human rights defenders deserve special protection as their work is critical for promoting human rights for all, including children, the Committee urges the State party to take steps:

(a) To allow for the unhindered work of human rights defenders on children's rights and build a climate of trust and cooperation with civil society with the full respect for their autonomy;

(b) To systematically involve communities and civil society, including non-governmental organizations and children's organizations, in the planning, implementation, monitoring and evaluation of laws, policies, plans and programmes related to children's rights;

(c) To take immediate action to allow for journalists, human rights defenders and all civil society organizations, including those working on children's rights, to exercise their right to freedom of expression and opinion without threats or harassment.

## B. General principles (arts. 1, 2, 3, 6 and 12)

#### Non-discrimination

18. The Committee remains concerned about the persistence of de facto discrimination against children in disadvantaged situations, including children born to unmarried parents, children born into slavery, children with disabilities, children living in poverty, girls in domestic service, children in street situation, notably *talibé* children, children with HIV/AIDS, children belonging to minority groups and internally displaced children. The Committee recommends that the State party:

(a) Strengthen the legal and institutional framework to ensure the effective implementation of the principle of non-discrimination in conformity with the Convention;

(b) Conduct media campaigns to change the social norms and behaviours that contribute to discrimination, raise public awareness regarding the prohibition of discrimination and promote tolerance and respect for diversity;

(c) Strengthen the awareness and capacities of professionals working for and with children on the principles of non-discrimination and children's rights.

#### **Best interests of the child**

19. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that the right of children to have their best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to, and have an impact on, children.

#### **Right to life, survival and development**

20. The Committee urges the State party:

(a) To prohibit, without delay or exception, the application of death sentences to persons under 18 years of age at the time that the offence was committed, by amending the Counter-Terrorism Act (No. 08-025 of 23 July 2008);

(b) To address underlying determinants of infant and child mortality, including social and economic deprivation and inequality;

(c) To implement the technical guidance of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity among children under 5 years of age.<sup>6</sup>

#### **Respect for the views of the child**

21. While noting the information provided by the State party on the Children's Parliament and the measures to ensure children's participation in schools and recalling the Committee's general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in judicial and administrative proceedings affecting the child, including by establishing systems and/or procedures for social workers and courts to comply with the principle;

(b) Conduct research to identify the issues that are most important to children, hear their views on those issues and find out how well their voices are heard in family decisions affecting their lives and the channels through which they currently and potentially have the most influence on national and local decision-making;

(c) Strengthen the Children's Parliament to ensure that it is provided with a meaningful mandate and adequate human, technical and financial resources, in order to facilitate children's effective engagement with national legislative processes and policy development on issues that affect them.

<sup>6</sup> [A/HRC/27/31](#).

### **C. Civil and political rights (arts. 7, 8 and 13–17)**

#### **Birth registration**

22. The Committee strongly urges the State party:

(a) To ensure the registration and issuance of birth certificates for all children born in its territory, immediately after birth;

(b) To adopt without delay the national strategy for modernizing the civil registry and accelerate the introduction of a digital civil registry system to facilitate birth registration procedures;

(c) To develop special strategies and implement urgent measures to ensure birth registration for children born during displacement, in camps of internally displaced persons or in refugee camps and set up a catch-up system to register all children who have not yet been registered;

(d) To conduct awareness-raising programmes to inform the population about birth registration procedures and the associated rights to a nationality and access to education and health services.

### **D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)**

#### **Abuse, neglect, sexual abuse and exploitation**

23. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:

(a) Adopt a comprehensive strategy and further strengthen awareness-raising and education programmes, including campaigns, with the involvement of children, in order to prevent and combat child abuse;

(b) Put in place accessible, confidential and child-friendly mechanisms for children to report violence;

(c) Establish a single, three-digit, child-friendly national helpline, operating 24 hours per day, seven days per week and make it well known to all children;

(d) Ensure that all cases of the abuse of children, including sexual abuse, are promptly reported and investigated, applying a child-friendly and multisectoral approach, with the aim of avoiding the revictimization of the child, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate;

(e) Encourage community-based and family-based programmes aimed at preventing and tackling child abuse and neglect.

#### **Corporal punishment**

24. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and recalling its previous recommendations, the Committee urges the State party:

(a) To explicitly prohibit corporal punishment in law and ensure its effective implementation in all settings, including in the home, schools, childcare institutions, alternative care settings and penal institutions;

(b) To promote positive, non-violent and participatory forms of child-rearing and discipline;

(c) To conduct awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change, within the family and the community, with regard to corporal punishment.

**Harmful practices**

25. The Committee is deeply concerned that:

(a) The minimum age for marriage is set at 16 years of age for girls and 18 years of age for boys in the Personal and Family Code and that child marriage reportedly affects one girl out of two and remains highly prevalent in the State party;

(b) Over 70 per cent of girls are victims of female genital mutilation, according to estimates;

(c) Attacks against children with albinism are perpetrated for ritual purposes.

26. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee urges the State party to:**

(a) **Expediently take the steps necessary to amend the Personal and Family Code (Law No. 2011-087 of 30 December 2011) to set the minimum age for marriage for girls and boys at 18 years of age;**

(b) **Ensure the effective implementation of the national multisectoral strategy to end child marriage, adopted in 2022;**

(c) **Develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting households, local authorities and religious leaders, giving priority to the cities of Kayes, Sikasso and Mopti;**

(d) **Establish protection schemes for victims of child marriage;**

(e) **Take immediate steps to enact specific legislation that prohibits and criminalizes female genital mutilation and punishes perpetrators;**

(f) **Develop awareness-raising campaigns and programmes on the harmful effects of female genital mutilation, in particular targeting at-risk households and religious and traditional leaders, and establish protection, medical, psychological and rehabilitative services for girls who are victims of female genital mutilation;**

(g) **Develop a national action plan on albinism, in line with the Plan of Action to End Attacks and Other Human Rights Violations Targeting Persons with Albinism in Africa, 2021–2031, of the African Union, to demystify albinism and harmful practices linked to the abuse of witchcraft and traditional practices and to strengthen the protection of children with albinism, in particular in rural and border towns, from abduction, dismembering and killing.**

**E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Family environment**

27. The Committee recommends that the State party strengthen its efforts:

(a) **To ensure that mothers and fathers equally share the common responsibilities for their children, under article 318 of the Persons and Family Code, in accordance with article 18 (1) of the Convention;**

(b) **To ensure that all provisions that are discriminatory against women and that negatively affect their children, such as those which allow for polygamy in the Persons and Family Code, are repealed.**

**Children deprived of a family environment**

28. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children,<sup>7</sup> the Committee recommends that the State party:**

(a) **Phase out institutionalization and adopt, without delay, a strategy and action plan for deinstitutionalization, ensuring that it has adequate human, technical and financial resources for its implementation and includes the systemic transformation of the childcare, welfare and protection systems;**

(b) **Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care, regularly reviewing placement measures and facilitating the reunification of children with their families, when possible, notably by strengthening of the family tracing and reunification mechanisms;**

(c) **Ensure adequate safeguards and clear criteria, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care;**

(d) **Establish quality standards for all alternative care settings, ensure the periodic review of the placement of children in foster care and alternative care centres and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the maltreatment of children;**

(e) **Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the social reintegration of children resident therein to the greatest extent possible;**

(f) **Strengthen the capacity of professionals working with families and children, in particular judges, law enforcement personnel, social workers and service providers, to ensure family-based alternative care responses and to enhance their awareness of the rights and needs of children deprived of a family environment.**

**Adoption**

29. **The Committee recommends that the State party:**

(a) **Ensure that the best interests of the child are the paramount consideration in adoption procedures for children of all ages and that the right of adoptive children to know their biological parents is effectively enforced;**

(b) **Ratify the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and ensure that all safeguards provided in that Convention are met when children are adopted to countries that are not parties to it.**

**Children of incarcerated parents**

30. **The Committee is deeply concerned about the lack of protection for women deprived of liberty who are breastfeeding or accompanied by their children. The Committee recommends that the State party:**

(a) **Ensure that the best interests of the child are the primary consideration when sentencing the primary caregiver, that alternatives to incarceration are considered and that children can maintain personal relationships with their parents;**

(b) **In the few cases where the incarceration of mothers is not avoidable, provide the conditions of detention that allow for them to breastfeed their children in a safe environment and age-appropriate facilities and services to safeguard and promote the rights of the children entering prison with their mothers to survival, protection and development while in prison;**

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<sup>7</sup> General Assembly resolution 64/142, annex.



(c) Take all the measures necessary to enable the children of incarcerated parents to maintain personal relationships and direct contact with them in child-friendly visiting facilities and systematically apply the principle of closeness.

## **F. Children with disabilities (art. 23)**

31. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:

(a) Ensure the effective implementation of Law No. 2018-027 on the rights of persons with disabilities, Decree No. 2021-0662/PT-RM and Order No. 5445/MSDS-SG;

(b) Ensure the meaningful participation of children with disabilities in the national committee for the monitoring of the rights of persons with disabilities and that it is provided with sufficient human, technical and financial resources;

(c) Organize the collection of data on children with disabilities, including those living with their families, and develop an efficient system for the early identification of disability, which is necessary for putting in place appropriate policies and programmes for children with disabilities;

(d) Undertake further awareness-raising programmes, including campaigns aimed at government officials, the public and families to combat the stigmatization of, and prejudice against, children with disabilities and promote a positive image of children with disabilities as rights holders.

## **G. Health (arts. 6, 24 and 33)**

### **Health and health services**

32. While welcoming the adoption of the universal health insurance scheme and the related Decree No. 2022-0018/PT-RM, in 2018, and the implementation of the social and health development programme, 2014–2023, the Committee remains concerned about the insufficient budget allocated to the health sector, the low level of enrolment in the universal health insurance scheme, the lack of vaccinations and the persistently high rate of infant mortality, despite the positive progress achieved by the State party.

33. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

(a) Increase the allocated budget to the health sector to ensure sufficient human, technical and financial resources for the implementation of health policies and services, in particular for children in disadvantaged situations;

(b) Promote the enrolment into the universal health insurance scheme to achieve universal coverage to benefit all children, in particular those in disadvantaged situations;

(c) Strengthen measures to increase the coverage of childhood vaccinations;

(d) Ensure the effective implementation of the integrated national strategic plan on HIV, tuberculosis and viral hepatitis, 2023–2026, with a focus on children;

(e) Implement and apply the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity among children under 5 years of age;

(f) Seek financial and technical assistance from UNICEF and the World Health Organization (WHO), among other entities, in this regard.

### Adolescent health

34. Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention on preventing early pregnancy and sexually transmitted infections;

(b) Ensure that all girls and boys, including those who are out of school, those in rural areas and/or are internally displaced receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives;

(c) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;

(d) Develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children and combat discrimination against them.

### H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

35. The Committee is seriously concerned by the extreme poverty and chronic and acute malnutrition of children, exacerbated by the impact of the armed conflict, which is a major driver of child mortality.

36. The Committee urges the State party:

(a) To consider holding targeted consultations with families, children and children's rights civil society organizations on child poverty, with a view to strengthening the strategies and measures for fulfilling children's rights in the strategic framework for economic recovery and sustainable development, 2020–2024, and the central regions strategic plan and action plan, 2022–2024;

(b) To prioritize the provision of adequate housing, drinking water and environmental sanitation and access to and the availability and affordability of food and consider asking UNICEF and WHO, among other entities, for assistance to address these issues;

(c) To ensure that children and their families living in poverty receive adequate financial support and free, assessable services without discrimination, by strengthening the social protection system with sufficient human, technical and financial resources, in particular through the generalization of the direct cash transfer to children in disadvantaged situation that was launched during the coronavirus disease (COVID-19) pandemic;

(d) To develop and implement a framework law on the right to food, paying due attention to the eradication of child food insecurity and malnutrition;

(e) To ensure the effective implementation of the national food and nutrition security policy, (2020–2024, and the multisectoral action plan on nutrition, 2021–2025);

(f) To adopt emergency measures to address child malnutrition in the regions affected by the armed conflict;

(g) To combat the abusive advertising and marketing of breast-milk substitutes and strengthen preventive measures, including awareness-raising on nutrition issues and proper feeding practices, and nutritional support for breastfeeding mothers, including adolescent mothers in school.

## **I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

### **Impact of climate change on the rights of the child**

37. While noting the efforts of the State party concerning climate change and recalling the Committee's general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, the Committee recommends that the State party:

(a) Ensure that children's special vulnerabilities, needs and views are taken into account in developing policies and programmes to address climate change and disaster risk management, such as the national climate change policy;

(b) Ensure that children's rights impact assessments are conducted to inform the process of the development and implementation of policies and programmes to address climate change and disaster risk management, in particular regarding heatwaves, and that children are properly consulted in both the assessment and policy development;

(c) Collect disaggregated data identifying the types of risk faced by children to the occurrence of a variety of disasters in order to formulate international, regional and national policies, frameworks and agreements accordingly;

(d) Increase children's awareness of and preparedness for climate change and natural disasters by incorporating them into the school curriculum and teacher training programmes;

(e) Review the methodology of elaborating and updating climate change programmes and legislation by promoting children's participation and referencing children and future generations in all related documents;

(f) Seek bilateral, multilateral, regional and international cooperation in implementing these recommendations.

## **J. Education, leisure and cultural activities (arts. 28–31)**

### **Education: aims and coverage**

38. The Committee welcomes the efforts undertaken by the State party resulting in progress in gross enrolment rate, achieved through the implementation of the programme for the development of education, among all the country's children, the policy paper on schooling for girls and the education decentralization programme. However, the Committee remains deeply concerned about the lack of resources allocated to the education sector to ensure qualified teachers and quality education for all. It is also seriously concerned about the high dropout rates in primary and secondary schools, in particular among girls, notably caused by socioeconomic inequalities and insecurity.

39. The Committee recommends that the State party:

(a) Ensure the effective implementation of the second decennial education programme, adopted in 2019, with sufficient human, technical and financial resources and set up participatory monitoring mechanisms;

(b) Maintain and strengthen the implementation of the education decentralization programme and ensure education at the community level, including in regions affected by the armed conflict.

40. The Committee also recommends that the State party:

(a) Ensure that all children complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes;

(b) Address the poverty and structural inequalities underlying the low rate of enrolment in preschool education in the State party;

(c) Take the measures necessary to improve accessibility and the quality of education, increase the number of teachers and provide quality training for them, with particular emphasis on rural areas;

(d) Ensure that pregnant teenagers and adolescent mothers are supported and assisted in continuing their education in mainstream schools;

(e) Enact the decision to place the Qur'anic schools under the authority of the Ministry of Education, in order to ensure a legal basis for regulating and monitoring the curricula and teaching methods, including the ban on corporal punishment, in those schools;

(f) Allocate sufficient financial resources for the development and expansion of early childhood education, including early development centres, based on a comprehensive and holistic policy of early childhood care and development.

#### Vocational training and guidance

41. The Committee recommends that the State party develop and promote quality vocational training to enhance the skills of children and young people, especially those who drop out of school and those who have been affected by the closure of schools for security reasons.

#### Rest, play, leisure, recreation and cultural and artistic activities

42. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources, including for internally displaced children.

### **K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)**

#### Economic exploitation, including child labour

43. While noting the information provided by the State party on the national plan of action for the elimination of child labour, 2011–2020, the Committee remains concerned about the prevalence of child labour, including the worst forms of child labour, and its negative impact on children's rights to education, health and protection from injury and recommends that the State party:

(a) Assess the previous national plan of action for the elimination of child labour and urgently adopt a new plan based on that evaluation and taking into account the views of the children concerned;

(b) In compliance with the legislation in force, withdraw children working in the worst forms of child labour, such as in private mining sectors, especially forced labour in the gold mines;

(c) Take urgent measures to involve the local authorities in the regions concerned, in particular in Kayes, Koulikouren and Sikassou, to protect children's rights and prohibit child labour in their local plans and budgets, in collaboration with the private sector, and apply specific measures to reintegrate children withdrawn from the worst forms of child labour into school and provide them with the necessary health and social services;

(d) Adopt legislation, with clear safeguards for the protection of children's rights, to regulate the employment of children in agriculture, domestic service or any other informal activity and strengthen the effectiveness of the child labour control system;

(e) Prohibit and eliminate all hazardous child labour, including where child workers are exposed to environmental risk factors, ensure that perpetrators are prosecuted, strengthen the regulations and inspections and ensure monitoring of children affected, in particular in agriculture and in mining sector, in particular in Kayes, Koulikourou and Sikassou;

(f) Strengthen its efforts to ensure that no child engages in hazardous work and raise public awareness on the prohibition of child labour, its exploitative character and its consequences;

(g) Ensure that perpetrators of the exploitation of *talibé* children are prosecuted and, if convicted, receive commensurate penalties;

(h) Adopt a law that specifically criminalizes slavery, including descent-based slavery, without delay, conduct national campaigns for the abolition of slavery and support all victims;

(i) Consider ratifying the Domestic Workers Convention, 2011 No. 189, of the International Labour Organization.

#### Children in street situations

44. Drawing attention to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:

(a) Assess the number of children living and/or working or begging in the streets and update studies on the root causes of their situations to guide the development of policies and strategies on children in street situations, with their active involvement;

(b) Ensure that measures regarding children in streets situation, including placement in alternative care, are provided with full respect for children's best interests and giving due weight to their autonomous views in accordance with their age and maturity.

#### Trafficking

45. The Committee recommends that the State party:

(a) Ensure the effective implementation of the national emergency plan of action against the cross-border trafficking in children;

(b) Allocate sufficient human, technical and financial resources to the National Coordinating Committee on Combating Trafficking in Persons and Related Practices;

(c) Ensure the effective provision of referral and support services to children who are victims of trafficking;

(d) Investigate all cases of the trafficking of children and bring perpetrators to justice;

(e) Conduct awareness-raising activities in order to make both parents and children aware of the dangers of trafficking.

#### Internally displaced children

46. Noting the displacement of children due to the deterioration of the security situation, the Committee recommends that the State party:

(a) Ensure the protection of children in such situations and their access to all essential social services and family tracing;

(b) Address effectively the risks of sexual violence, sexual exploitation and trafficking;

(c) Investigate, prosecute and bring to justice those responsible;

(d) **Facilitate the resettlement of internally displaced children in their original place of residence while guaranteeing their safety.**

#### **Administration of child justice**

47. The Committee is deeply concerned about the limited child court facilities, trained judges on children's right, non-judicial measures and access to free legal aid for children. It is further concerned about child detention in already overcrowded detention facilities for adults.

48. **While noting the pledge made by the State party during the seventy-fifth anniversary of the adoption of the Universal Declaration on Human Rights, to improve access to justice and combat impunity for serious human rights violations at all levels and guarantee reparations for victims, and recalling the Committee's general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party:**

- (a) **Raise the legal age of criminal responsibility to at least 14 years of age;**
- (b) **Expediently establishes specialized child court facilities and procedures with adequate human, technical and financial resources and designate specialized judges for children, in line with Law No. 01-081 of 24 August 2001;**
- (c) **Ensure that such specialized judges receive appropriate training and benefit from support staff, including social workers;**
- (d) **Ensure the provision of free and specialized legal aid to children alleged as, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings;**
- (e) **Promote non-judicial measures, such as diversion, mediation and psychosocial support, for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;**
- (f) **Ensure that detention is used as a measure of last resort, for the shortest appropriate period of time, and is reviewed on a regular basis with a view to its withdrawal;**
- (g) **For the few situations where deprivation of liberty is justified as a measure of last resort, ensure that the children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.**

#### **Children in armed conflict, including implementation of the Optional Protocol on the involvement of children in armed conflict**

49. While welcoming the adoption of the interministerial circular on preventing the recruitment of children into the armed forces or armed groups, in 2013, and noting the pledge made by the State party during the seventy-fifth anniversary of the adoption of the Universal Declaration on Human Rights, to improve and diversify conflict prevention mechanisms and promote actions aimed at establishing lasting peace, reconciliation and national cohesion, with a view to ensuring sustainable human development, the Committee remains deeply concerned about the widespread recruitment and use of children by armed group in the regions affected by armed conflict.

50. **The Committee urges the State party:**

- (a) **To explicitly criminalize the recruitment of children in the armed forces or non-State armed groups and involvement in the hostilities, including by amending the Child Protection Law accordingly;**
- (b) **To ensure the effective implementation of the Safe Schools Declaration of the United Nations Educational, Scientific and Cultural Organization, expeditiously complete and adopt a law on safety in schools and hospitals, notably by providing the**

committee entrusted with monitoring its implementation with sufficient authority and by providing the National Directorate of Basic Education with sufficient human, technical and financial resources to adopt the measures necessary to ensure that schools are safe;

(c) To strengthen the child protection system by providing sufficient human, technical and financial resources, in particular to protect children at risk of recruitment;

(d) To take the steps necessary to guarantee the protection of children's rights, including the right to life and survival, in armed conflict;

(e) To maintain and strengthen its efforts to guarantee children affected by armed conflict access to humanitarian aid and consolidate the delivery of basic social services in regions affected by armed conflict;

(f) To adopt measures to identify cases of children who were victims of violations of their rights in armed conflict, including victims of conflict-related sexual and gender-based violence and children born of rape, and strengthen existing support and ensure long-term rehabilitation and reintegration programmes;

(g) To ensure socioeconomic integration programmes for children who were victims of recruitment and use by armed groups and those who are at risk;

(h) To ensure that documented cases of violations of children's rights in armed conflicts in the State party are promptly and effectively investigated, prosecuted and punished;

(i) To appoint a focal point to address an outstanding paternity claim concerning police personnel deployed in United Nations peace operations.

## **L. Ratification of the Optional Protocols to the Convention**

51. The Committee recommends that the State party ratify the Optional Protocol to the Convention on a communications procedure.

52. The Committee urges the State party to fulfil its reporting obligations 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, given that the related reports has been overdue since 16 June 2004.

## **M. Ratification of international human rights instruments**

53. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(b) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

## **N. Cooperation with regional bodies**

54. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the African Union.

## V. Implementation and reporting

### A. Follow-up and dissemination

55. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined third to fifth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### B. Next report

56. The Committee will establish and communicate the due date of the combined sixth to eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>8</sup> and should not exceed 21,200 words.<sup>9</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

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<sup>8</sup> [CRC/C/58/Rev.3](#).

<sup>9</sup> General Assembly resolution 68/268, para. 16.