



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Sixty-fourth session

4-22 July 2016

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

### List of issues and questions in relation to the combined sixth and seventh periodic reports of Mali

#### General context

1. The State party has been facing challenging times marked by a near breakdown of public administration, school closures, destruction of health-care facilities and the displacement of populations to southern Mali and neighbouring countries since the occupation of northern and central Mali by radical Islamic groups (jihadists) in 2012. The continuing hostilities in the State party have had a severe impact on civilians, in particular women, who face increased levels of discrimination and violence, including sexual violence. Consequently, there has been a setback in access to health care and education for the most vulnerable groups, increasing insecurity, food shortages and insufficient provision of health care, in particular in the northern region. This has also had a negative impact on the implementation of the Convention. Given the obligation of the State party, as outlined in the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, to apply the Convention in all crisis situations, including during conflict, please provide information on measures taken and mechanisms in place to mitigate the impact of the conflict on the lives of women and girls, protect them from violence and ensure that the entrenched discrimination against them is not further exacerbated. Please also provide information on the type of alternative sources of livelihood for family survival and the assistance provided, in particular for female-headed households.

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*Note:* The present document is being circulated in English, French and Spanish only.



**Legislative and institutional framework**

2. Please indicate whether the State party envisages undertaking, within a specific time frame, the overdue review of its legislation, in particular the Family Code, to identify and repeal discriminatory provisions against women, especially the provisions reducing the age of marriage from 18 to 16 years for girls, and provisions granting parents legal permission to give in marriage minor girl children who have reached the customary threshold of maturity, which is the first menstrual cycle. Please provide information on the measures taken and/or envisaged to harmonize legislation in order to eliminate the discrimination against women created by the current coexistence of statutory, customary and religious laws that define women's rights, in particular women's right to land, including inheritance of land.

**Access to justice**

3. It is indicated in the combined sixth and seventh reports of the State party (CEDAW/C/MLI/6-7) that, in relation to access to justice, women are faced with obstacles such as unwieldy judicial procedures, lack of information and assistance, administrative delays, high legal and court costs and the absence of sensitivity to gender issues and women's rights by some judicial actors and court officers (paras. 201 and 210).<sup>1</sup> Please provide information on the measures, apart from legal aid services, taken to overcome the impediments faced by women in gaining access to justice and, in particular, the gender insensitivity of judicial actors and court officers and the minimal references to the Convention by judges in support of their decisions. Please explain how the programme for the reform of the justice sector has contributed to the elimination of those impediments. Please also provide information on the resources allocated to the legal assistance fund and on the conditions for gaining access to it. Please indicate the number of women who have benefited from the fund.

4. Please provide information on the steps taken to provide training for legal professionals, including judges, prosecutors and lawyers, and other actors responsible for the implementation of the provisions of the Convention. Please also indicate the measures taken to ensure that customary justice systems are not discriminatory against women.

**National machinery for the advancement of women**

5. It is indicated that the Ministry of Women, Children and the Family developed a framework document for 2008-2012 geared towards strengthening women's economic capacities, developing women's leadership and promoting the gender approach in projects and programmes (para. 21). It is also stated that the State party adopted a national gender policy and action plan for the period from 2011 to 2013 (para. 22). Please provide information on whether there has been an impact assessment of the programmes and the action plan to ascertain whether any progress has been made in the advancement of women as a result of their implementation. Please also provide information on the measures envisaged by the State party as a follow-up to the expired framework document and action plan.

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<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the combined sixth and seventh periodic reports of Mali.

6. It is indicated that an audit of the National Directorate for the Advancement of Women revealed shortcomings and gaps in the organization and functional modalities of the Directorate (para. 9). Please indicate, in particular, the measures taken to ensure that the Directorate is provided with adequate decision-making capacity and the financial and human resources necessary for the implementation of its activities. Please also indicate whether there are institutions in charge of gender equality and the empowerment of women at the regional, municipal and community levels and, if there are, whether coordination between the Directorate and the subnational institutions is ensured.

#### **Stereotypes and harmful practices**

7. Excision, forced marriage and/or marriage at a very young age are listed among the practices that the State party regards as harmful to the health of women and children (para. 133). Furthermore, in the report dated 12 March 2013 of the Working Group on the Universal Periodic Review (A/HRC/23/6), it is stated that the State party accepted the recommendation to enact legislation prohibiting all forms of traditional practice of female genital mutilation in line with recommendations made by the Committee and the Committee on the Rights of the Child (*ibid.*, para. 112.17). Please provide information on the steps taken to eliminate those practices and to assess the impact of the efforts made to educate and raise awareness about the harmful effect of such practices on girls and women. Please also indicate the measures envisaged to accelerate the adoption and entry into force of legislation criminalizing all forms of female genital mutilation and child and/or forced marriage.

#### **Violence against women**

8. Information before the Committee indicates that domestic violence, including incest and marital rape, and sexual violence and harassment are widespread, although specific data on their prevalence are not available. Please provide detailed information on the current situation and trends with respect to violence against women and girls, including incest, rape and marital rape, and on the number of prosecutions and convictions in all cases of violence against women. Please explain whether the State party envisages establishing systematic and regular collection and analysis of data and information on all forms of violence against women.

9. Information available to the Committee indicates that a five-year national action plan to combat violence against women was launched in 2006. Please indicate whether an assessment of the impact of the action plan was conducted and, if it was, what the outcome was. Please provide information on whether the State party envisages adopting a national strategy to combat violence against women, including a specific law prohibiting all forms of violence against women that, *inter alia*, criminalizes marital rape. Please indicate whether there are shelter services available for women who are victims of violence within the family and indicate the action taken to provide remedies and assistance, in addition to counselling and rehabilitation services, to all victims of domestic violence.

#### **Violence against women in conflict situations**

10. In the report of the Independent Expert on the situation of human rights in Mali of 9 January 2015 (A/HRC/28/83 and Corr.1), it is mentioned that, during the

conflict, the Malian armed forces raped women, including underaged girls. The United Nations High Commissioner for Human Rights also indicated in her report of 26 June 2013 (A/HRC/23/57) that allegations had been made of abduction of and sexual violence against women and girls, especially Songhay and Bella women, by members of armed groups, including the Mouvement national de libération de l'Azawad, Al-Qaida in the Islamic Maghreb, the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest and Ansar Eddine, in the north of the country between January and December 2012. Please provide data on the number of women who were victims of violence and the services provided for their rehabilitation and on measures taken to ensure the indictment, prosecution and punishment of perpetrators of acts of violence during the conflict and the number of such cases.

#### **Trafficking and exploitation of prostitution**

11. It is indicated in the report that a bill to combat trafficking in persons has been submitted to the National Assembly (para. 46). Please indicate whether the law has been adopted and, if it has not, indicate the measures envisaged to accelerate its adoption and entry into force. Please provide sex-disaggregated data on trafficking in persons, including on the number of victims, cases investigated, cases prosecuted and convictions and on the punishment of perpetrators. Please also provide information on the existing legal provisions relating to the criminalization of prostitution and indicate the measures taken to provide educational and economic alternatives to prostitution and to introduce exit programmes and rehabilitation and reintegration measures for women wishing to leave prostitution.

#### **Participation in political and public life**

12. One of the recommendations contained in the report of the Working Group on the Universal Periodic Review was that the State party should ensure full respect for the Security Council resolutions on women and peace and security in the management of the conflict, in particular by ensuring the effective participation of women in the political dialogue (A/HRC/23/6, para. 111.30). Please provide information on the participation of women in peacebuilding at decision-making levels, in accordance with Security Council resolution 1325 (2000) on women and peace and security. Please also indicate how the State party envisages applying the provisions of the Convention in peacebuilding dialogues and negotiations, consistent with general recommendation No. 30.

13. It is indicated that discussions have been held on the drafting of a quota law allocating 30 per cent of appointed and elected positions to women. Please indicate the time frame for the adoption of the proposed bill and the measures taken to overcome the sociocultural obstacles to its adoption. Mention is also made of the 2012-2015 action plan for the participation and greater representation of women in general elections (para. 49). In view of the very low representation of women in elected and appointed positions, please provide information on further measures envisaged to achieve equal representation of women and men in appointed decision-making positions in the Government, the National Assembly, the judiciary, the civil service at the national, provincial and municipal levels and the diplomatic service, including through the adoption of temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.

14. The Committee has been informed of the disproportionately high number of women without identity papers, which prevents them from voting. Please indicate the measures taken and envisaged to address that situation.

### **Education**

15. Various measures taken to increase the access of women and girls to education are mentioned (para. 57) and it is stated that there has been a positive impact in some areas (paras. 58 and 59). Gaps and obstacles to girls' education, such as the high dropout rate owing to child and/or forced marriage and child labour, are also identified. The low literacy rate of women is attributed to early pregnancy and the social reproduction roles of adult women, especially in rural areas, as well as other factors such as a lack of teaching materials. Please provide information and data on additional measures envisaged to: address the low literacy rate among women; increase the enrolment and retention rate of girls at all levels of education, including in vocational education; overcome the economic, social and cultural obstacles to girls' access to education, including the direct and indirect costs of education, child and/or forced marriage and adolescent pregnancy; and introduce a zero-tolerance policy on sexual violence and sexual harassment of girls in schools.

### **Employment**

16. It is indicated that, notwithstanding favourable legislative and regulatory provisions on equal remuneration for work of equal value, on average, women are still paid less than men. It is also indicated that women are specifically prohibited from taking certain jobs. Please provide information on the measures taken to: ensure equal pay for work of equal value, including by addressing occupational segregation of women in the public and the private sectors and promoting access by women to higher-paying decision-making positions; ensure that protective measures for women are strictly limited to maternity and not based on stereotypical perceptions of their abilities and their role in society; and protect girls from exploitative child labour, including begging. Please indicate whether the State party has taken measures to ensure that women working in the informal sector and in rural areas are covered equally by the social protection system.

### **Health**

17. Various measures taken to increase access by women and girls to health care are mentioned (paras. 95 and 97). Please indicate whether the impact of those measures has been assessed in order to take corrective measures when necessary. Please indicate the measures envisaged to further address: the inadequate funding of the health sector; the persisting high maternal mortality ratio; and the limited access to basic health-care services and essential obstetric care, including as a result of poverty and the existence of sociocultural barriers, in particular among women living in rural areas.

18. Please provide information on the measures envisaged to address: the lack of comprehensive age-appropriate education on sexual and reproductive health and rights, including for adolescents enrolled in school and those out of school; the availability, affordability and accessibility of modern contraceptives and family planning services, including for adolescents; and the challenge of people associating the use of contraceptives with promiscuity, which leads adolescents to be secretive

about their sexual activities and results in clandestine and unsafe abortion. Please indicate whether the State party envisages legalizing abortion when the physical and mental health of the mother are at risk and in cases of severe fetal impairment. Please provide data on the number and proportion of women in detention following a conviction for illegal abortion.

19. Please indicate the measures taken to address the disproportionately high rate of HIV/AIDS among women living in prostitution.

**Disadvantaged groups of women**

20. Please indicate the measures taken to further increase access to credit by rural women, including bank loans and land as a productive resource. Please provide information on the measures envisaged to further increase access by disadvantaged groups of women, including women living in poverty, rural women, women with disabilities, refugee women and internally displaced women, to health-care services, education, water, sanitation, food, housing and income-generating activities. Please also indicate the measures envisaged to ensure that female detainees are held separately from male detainees, that female guards are in charge of their supervision and that gender-sensitive measures are in place to ensure appropriate treatment, in particular for pregnant women and women detained with their children.

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