



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### List of issues in relation to the initial report of Mali\*

#### A. Purpose and general obligations (arts. 1–4)

1. Please provide information on:

- (a) Measures taken to review the existing national legislation and policies to bring them fully into alignment with the Convention;
- (b) Activities undertaken or planned and resources allocated to implement the Strategic Plan for the Advancement of Persons with Disabilities 2015–2024;
- (c) The timeline and process of review of Act No. 2018-027 on the rights of persons living with a disability, in order to align its provisions, in particular the definition of person with disabilities, with the Convention;
- (d) Measures taken to develop and adopt a plan of action to strengthen the promotion and protection of the rights of persons with disabilities, in accordance with Act No. 2018-027;
- (e) Consultations with persons with disabilities, through their representative organizations, on the development and monitoring of relevant legislation, policies, programmes, regulations and other measures, including those that focus on the rights of persons with disabilities, including measures taken in the context of the coronavirus disease (COVID-19) pandemic.

#### B. Specific rights (arts. 5–30)

##### Equality and non-discrimination (art. 5)

2. Please provide information on:

- (a) Measures taken to ensure that anti-discrimination laws and policies are aligned with the Convention, taking into account the Committee's general comment No. 6 (2018) on equality and non-discrimination, and to recognize the denial of reasonable accommodation as a form of disability-based discrimination;
- (b) Legal and other measures taken to prevent and address multiple and intersecting forms of discrimination faced by persons with disabilities, in particular women and girls with disabilities and persons with intellectual disabilities and persons with psychosocial disabilities;
- (c) Legal remedies and reporting mechanisms available to persons with disabilities in cases of discrimination and measures taken to ensure that they are effective, accessible and affordable for all persons with disabilities;

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\* Adopted by the pre-sessional working group at its seventeenth session (27–31 March 2023).



(d) The number and percentage of complaints of discrimination on the basis of disability, disaggregated by sex, age, type of court, geographical region, sector in which discrimination occurred and sanctions imposed;

(e) Measures taken to prevent, investigate and sanction all forms of discrimination against persons with disabilities, including children with disabilities.

#### **Women with disabilities (art. 6)**

3. Please provide information on:

(a) Specific measures taken to improve the access of women and girls with disabilities to justice, political and public life, education, income-generating activities and health care, including sexual and reproductive health services and to change negative attitudes towards them;

(b) Efforts to prevent and punish such harmful traditional practices as female genital mutilation and to ensure that strict sanctions are imposed on the perpetrators;

(c) Steps taken to establish a formal mechanism to ensure the effective participation of women with disabilities, through their representative organizations, in policymaking, decision-making, programme preparation, implementation and evaluation and in the monitoring of laws and regulations relating to disability and gender issues, at the national and local levels.

#### **Children with disabilities (art. 7)**

4. Please provide information on:

(a) Measures taken to ensure respect for the rights of children with disabilities, as set out in relevant national legislation, and to ensure that children with disabilities are able to express their views on all matters affecting them and that their views are given due consideration;

(b) Measures taken to provide parents and families with the information and social and financial assistance they need to care for their children with disabilities and to help them to participate in family and social life.

#### **Awareness-raising (art. 8)**

5. Please provide detailed information, including time frames and allocated budgets, on awareness-raising programmes, campaigns and other measures organized under the framework of the national community-based rehabilitation programme and designed and implemented with the participation of persons with disabilities, through their representative organizations, and involving the media and the general public that are aimed at ending stigma and negative societal attitudes towards persons with disabilities.

#### **Accessibility (art. 9)**

6. Please provide information on:

(a) Measures in place to enforce the standards on the accessibility of public buildings and facilities to persons with disabilities,<sup>1</sup> the penalties for non-compliance with those standards and the resources allocated to the accessibility of the physical environment for persons with disabilities;

(b) Measures taken to ensure the active participation of persons with disabilities, through their representative organizations, in the implementation of accessibility standards;

(c) Initiatives to ensure access for persons with disabilities to transport, information and communication services and other services provided to the public;

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<sup>1</sup> CRPD/C/MLI/1, para. 50.

(d) Measures taken to ensure that the various information and communication services and technologies are fully accessible to diverse groups of persons with disabilities.

#### **Right to life (art. 10)**

7. Please provide updated information on legal and other measures in place to protect persons with disabilities, in particular persons with albinism, from different forms of violence and murder, including ritual killings.

#### **Situations of risk and humanitarian emergencies (art. 11)**

8. Please provide information on:

(a) Measures taken to ensure that disaster risk information and warnings are accessible to all persons with disabilities, regardless of their type of disability;

(b) Measures taken to incorporate the Sendai Framework for Disaster Risk Reduction 2015–2030 into all laws and policies in the implementation of the national disaster risk management strategy and to involve persons with disabilities, through their representative organizations, in the planning and implementation of emergency and disaster response and arrangements for rehabilitation and recovery;

(c) Measures taken to establish a targeted and sustainable humanitarian emergency system that protects persons with disabilities on an equal basis with others, including in the context of armed conflict, humanitarian emergencies and public health emergencies. In particular, please indicate what has been done to provide persons with disabilities with accessible information on the extent of the coronavirus disease (COVID-19) pandemic and ways to prevent the spread of the virus.

#### **Equal recognition before the law (art. 12)**

9. Please provide detailed information on:

(a) Legal measures adopted to ensure that persons with disabilities can fully and equally exercise their legal capacity and to repeal laws that restrict, directly or indirectly, the full legal capacity of persons with disabilities on the basis of their disability and steps taken to review or revise legal and other measures that deprive persons with disabilities, in particular persons with intellectual disabilities and persons with psychosocial disabilities, of the legal capacity to enter into a contract, open a bank account or exercise their right to family life;

(b) Measures adopted to replace substitute decision-making with supported decision-making for persons with disabilities who require decision-making assistance.

#### **Access to justice (art. 13)**

10. Please provide information on:

(a) Measures taken to make appropriate adjustments in the system of administration of justice, in particular by providing procedural and gender- and age-appropriate accommodations for persons with disabilities in all legal proceedings;

(b) Measures taken to provide police stations, courts and prisons with accessible means of communication and to make their premises and services accessible to persons with disabilities.

#### **Liberty and security of person (art. 14)**

11. Please provide information on:

(a) Measures in place to ensure the liberty and security of persons with disabilities and to prohibit, in all circumstances, the non-consensual placement of persons with disabilities in judicial or mental health institutions on the basis of their disability;

(b) Measures to prohibit non-consensual treatment, such as forced medication and hospitalization without consent, in particular when it concerns persons with psychosocial disabilities;

(c) Measures adopted to prevent persons with disabilities from being imprisoned because of negative attitudes towards them or myths and superstitions about disability;

(d) Persons with disabilities deprived of their liberty, providing disaggregated data for the past five years.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

12. Please provide:

(a) Information on measures taken to end all forms of torture or cruel, inhuman or degrading treatment or punishment, including those stemming from cultural and religious beliefs that some persons with disabilities carry a curse or bad omen and should be banished from the community;

(b) Information on measures taken to put an end to torture and ill-treatment in health-care institutions, psychiatric hospitals and other care institutions and to prevent persons with psychosocial disabilities from being subjected to cruel, inhuman or degrading treatment or punishment, both within such institutions and in the family;

(c) Information on measures taken to eliminate, prevent and punish practices that result in mutilation or death, including those against persons with disabilities, in particular children with disabilities and persons with albinism;

(d) Statistical data, disaggregated by type of disability, sex, age and geographical location, on the number of acts constituting torture or cruel, inhuman or degrading treatment or punishment committed against persons with disabilities. Please also provide information on measures taken to investigate and prosecute criminal matters, to enable victims to obtain redress and to impose sanctions on those responsible for such acts.

**Freedom from exploitation, violence and abuse (art. 16)**

13. Please provide updated information on:

(a) The impact of the partnership agreement with the Malian Coalition for the Rights of the Child on preventing the economic exploitation of children with disabilities through begging;

(b) Measures taken to prevent and punish violence, abuse and harmful practices against persons with disabilities, particularly persons with intellectual disabilities and persons with psychosocial disabilities, women and children with disabilities in all settings, including in the family, and persons with disabilities who are still living in institutions or are committed to hospitals and places of detention;

(c) Mechanisms available to persons with disabilities who are victims of exploitation, violence or abuse to report such incidents, and the protection and support services available, such as accessible temporary shelters.

**Protecting the integrity of the person (art. 17)**

14. Please provide information on:

(a) Measures adopted to prevent and prohibit forced contraception for and/or the forced sterilization of persons with disabilities, particularly women and girls with disabilities;

(b) Steps taken to finalize the bill to prohibit female genital mutilation and ensure that the practice is subject to sanctions under the Child Protection Code, as recommended by the Committee on the Elimination of Discrimination against Women in its concluding observations.<sup>2</sup> Please also indicate any steps being taken to intensify awareness-raising

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<sup>2</sup> CEDAW/C/MLI/CO/6-7, para. 22.

efforts and to develop new intervention strategies to eradicate that harmful practice, including with regard to women and girls with disabilities.

**Liberty of movement and nationality (art. 18)**

15. Please describe measures taken to ensure the birth registration of children with disabilities immediately after birth, particularly in rural areas and in areas affected by internal armed conflicts.

**Living independently and being included in the community (art. 19)**

16. Please provide information on:

(a) Steps taken by the State party to implement and monitor the right of persons with disabilities to live independently and be included in the community. In particular, please indicate the budgetary allocations to ensure effective implementation, including by the provision of personal assistance and community-based services;

(b) Whether the 20 housing units noted in the initial report,<sup>3</sup> which are provided to persons with disabilities under the public housing programmes, are integrated with or separated from housing estates that are available to others and indicate plans to ensure the provision of more housing units to persons with disabilities in communities freely chosen by them.

**Personal mobility (art. 20)**

17. Please provide information on:

(a) Measures taken to guarantee access to persons with disabilities to enhance their personal mobility, including the provision of mobility aids, assistive devices and other assistive technologies and forms of live assistance and intermediaries and of information and communications technology, in particular in rural and conflict-affected areas;

(b) Measures taken to ensure that construction and other infrastructure planning and transportation in both urban and rural areas guarantee personal mobility for persons with disabilities.

**Freedom of expression and opinion, and access to information (art. 21)**

18. Please provide updated information on:

(a) Steps being taken to ensure sufficient budgetary allocation for the development, promotion and use of accessible modes, means and formats of information and communication, such as Braille, Easy Read, audio description and captioning, including for television content, websites, applications, touch-screen devices and other digital products and services, to enable persons with disabilities to access information according to their requirements and preferences;

(b) Steps being taken to officially recognize the sign language of Mali in law and to increase the number of qualified sign language interpreters.

**Respect for privacy (art. 22)**

19. Please provide information on measures taken to effectively protect and promote the right to privacy, as enshrined in article 6 of the Constitution of Mali, to include persons with disabilities, particularly women and girls with disabilities, and to sanction any violations and provide remedies.

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<sup>3</sup> CRPD/C/MLI/1, para. 81.

**Respect for home and the family (art. 23)**

20. Please provide information on measures taken to protect the rights of persons with disabilities with respect to the family, parenthood, including adoptive and foster parents, and relationships and increase awareness among the public about such rights.

**Education (art. 24)**

21. Please provide information on:

(a) Measures being taken to develop a legal and policy framework for inclusive education, in accordance with article 24 of the Convention and the Committee's general comment No. 4 (2016) on the right to inclusive education and as reflected in Sustainable Development Goal 4, including a time frame for implementation and human, technical and financial resources;

(b) Steps taken to move from segregated education to inclusive education for children with disabilities, specifying the budget allocated, as a proportion of the total education budget, for the training of teaching, support and non-teaching staff on the core competencies and values required for working in inclusive educational environments;

(c) Efforts being made to provide accessible materials, adaptive learning environments and sufficient individualized accommodation for students with disabilities at all levels, including for students with visual or hearing impairments.

**Health (art. 25)**

22. Please provide information on:

(a) The availability of health-care facilities, services and equipment and public health services accessible for persons with disabilities in urban and remote rural areas and in conflict-affected areas;

(b) Measures taken to ensure that persons with disabilities, particularly women and girls with disabilities, have access to comprehensive health-care services, including services relating to sexual and reproductive health and rights, on an equal basis with others;

(c) Steps taken to ensure that the human rights-based approach to disability and respect for the dignity, autonomy and requirements of persons with disabilities are included in the training curricula of all medical and health professionals, including community health workers, and in the ethical standards for public and private health care throughout the State party.

**Habilitation and rehabilitation (art. 26)**

23. Please provide information on:

(a) Measures taken to ensure that habilitation and rehabilitation services for persons with disabilities are guided by a human rights-based approach and that services are designed and implemented to enable persons with disabilities to attain and maintain maximum independence and full inclusion and participation in all aspects of life;

(b) Measures taken to extend access to comprehensive, community-based habilitation and rehabilitation programmes for persons with disabilities, including in rural areas, and to ensure that the services offered to persons with disabilities are provided on the basis of their free, prior and informed consent.

**Work and employment (art. 27)**

24. Please provide information on:

(a) The budgetary allocation and specific targets in the national policy on employment<sup>4</sup> to improve the employment rate among persons with disabilities, particularly women with disabilities;

(b) Steps taken to prohibit discrimination during recruitment processes and through the demotion or dismissal of persons with disabilities and to ensure fair conditions of service and career advancement;

(c) Incentives provided to private sector employers to promote the employment of persons with disabilities, particularly women with disabilities;

(d) Whether the denial of reasonable accommodation in the workplace constitutes a form of disability-based discrimination and, if so, what remedies are available to victims.

**Adequate standard of living and social protection (art. 28)**

25. Please provide information on:

(a) Specific measures set out in the National Social Protection Policy<sup>5</sup> to ensure that persons with disabilities are included in socioeconomic development programmes and social protection and poverty reduction efforts;

(b) Steps taken to develop and implement targeted programmes and services for persons with disabilities, particularly women with disabilities, living in situations of poverty to enable them to meet the additional cost of disability-related expenses.

**Participation in political and public life (art. 29)**

26. Please provide information on:

(a) Measures taken to ensure that persons with disabilities can vote in secrecy during elections, including through the provision of accessible voting centres and the use by persons with disabilities of accessible formats, including Braille, tactile ballots, augmentative and alternative communication and all other accessible means, modes and formats of communication of their choice, in electoral materials;

(b) Steps taken to promote the participation of persons with disabilities, particularly women with disabilities, in the conduct of public affairs, indicating the percentage of women with disabilities in elected positions and senior administrative positions.

**Participation in cultural life, recreation, leisure and sport (art. 30)**

27. Please provide information:

(a) On any strategy in place to ensure that persons with disabilities, including children with disabilities, can participate in inclusive sporting, leisure and cultural activities, indicating the budgetary allocations;

(b) On measures in place and the annual budget available to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

**C. Specific obligations (arts. 31–33)****Statistics and data collection (art. 31)**

28. Please provide information on measures taken to collect appropriate information, including disaggregated statistics and research data, to enable the State party to formulate

<sup>4</sup> Ibid., para. 113.

<sup>5</sup> Ibid., para. 121.

and implement policies to give effect to the Convention. Please indicate whether the Washington Group short set of questions on functioning and the related methodology have been adopted and how persons with disabilities, through their representative organizations, have been involved in the adoption process.

**International cooperation (art. 32)**

29. Please explain how persons with disabilities, through their representative organizations, including those of women and girls with disabilities, are consulted and involved in:

(a) Foreign policy decisions, in particular regarding accessing international cooperation funds intended for disability-specific projects or that target persons with disabilities;

(b) National plans to implement the 2030 Agenda for Sustainable Development and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, adopted in 2018 by the African Union, taking into consideration the linkage between the effective implementation of the Convention and the implementation of the 2030 Agenda and the Protocol.

**National implementation and monitoring (art. 33)**

30. Please provide information on the national body designated as the focal point for the implementation of the Convention and whether a coordinating mechanism to monitor the implementation of the Convention has been established.

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