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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Thirty-fourth session

16 January-3 February 2006

**List of issues and questions with regard to the consideration
of periodic reports**

Mali

Introduction

1. The pre-session working group examined the combined second, third, fourth and fifth periodic report of Mali (CEDAW/C/MLI/2-5).¹

General

2. Please indicate whether government sectors, non-governmental organizations, civil society and other relevant institutions were consulted and involved in the process of preparing the report.

**Constitutional, legislative and institutional framework and status
of the Convention**

3. The report indicates that in accordance with the Malian Constitution, any treaty to which Mali is a party has precedence over national legislation from the moment that the treaty in question is published and that Mali thus conforms to the definition of discrimination against women contained in article 1 of the Convention (p. 13). Please provide any examples of whether any laws, policies, programmes or administrative practices have ever been challenged as discriminatory on the basis of sex in court utilizing the provisions of the Convention, and if so, information on the outcome.

4. Besides the proposed family law reform (see paras. 27 and 28 below), please indicate whether there are any plans to undertake a comprehensive law reform

process so as to identify and subsequently amend or repeal laws and combat practices which conflict with various provisions of the Convention.

5. The report indicates that concern over the situation of women led to the development and implementation of a national strategy to combat poverty for the period 1998 to 2002 (p. 11). It also refers to a number of decennial programmes (p. 20). Please provide information about progress in the implementation of these programmes and the impact their implementation is having in terms of achieving the goals of the Convention.

6. Please provide information about the implementation of the Action Plan for the Advancement of Women (2002 to 2006), including in relation to achievements, obstacles encountered and progress to date (p. 19).

7. The report recognizes the need to step up awareness-raising and education for politicians and other segments of society in order to maintain a focus on women and systematically mainstream gender issues in the development, implementation and evaluation of programmes (p. 15). Please describe what the Government is doing to raise awareness among lawmakers, judges, lawyers, law enforcement officers, administrators and women themselves, in urban and rural areas, regarding the persistence of discrimination against women and of discriminatory stereotypes in general, and in particular Mali's obligations under the Convention.

8. Women's access to justice is said to be problematic owing to legal costs, lack of information and lack of assistance. To date, have any legal aid services and legal assistance funds been established, as referred to on page 62 of the report?

Discriminatory practices and stereotypes

9. The report acknowledges that Malian society is a patriarchal society, with the roles and responsibilities of men and women clearly delineated depending on the ethnic or religious group concerned. In this context, reference is made to the persistence of discriminatory traditional practices, such as the dowry system, polygamy, customary inheritance practices, early and forced marriage, nutritional taboos, customs and privileges in favour of men — such as the prerogative of deciding where the family will live (pp. 23 and 24). The report also refers to harmful traditional practices, such as humiliating and degrading treatment of widows and the giving of a girl in marriage to a witch doctor for religious reasons (p. 14). Many of these practices are contrary to the provisions of the Convention in general, and especially its articles 2 (f) and 5 (a). Please provide information on what measures the Government is taking to remedy this situation, and in particular whether a comprehensive strategy exists, involving collaboration with non-governmental organizations, to change stereotyping that discriminates against women.

Violence against women

10. Please provide detailed information on the forms and extent of violence against women, including domestic violence, supplying any available statistics and trends over time. Please also provide information on any instances of violence

against women that have been prosecuted under the general penal laws, and the outcomes of such court action.

11. Please indicate whether the Government has contemplated or begun working towards a comprehensive and multidisciplinary strategy to combat all forms of violence against women, and if so, please describe it.

Trafficking and exploitation of prostitution

12. Kindly provide information about the implementation of penal laws to prevent and punish the exploitation of prostitution as well as measures taken to provide rehabilitation and support for the social reintegration of women in order to help them leave prostitution.

13. Please provide information on the prevalence of trafficking in women and girls, including on domestic legislation and its implementation and other mechanisms at the national level to prevent and punish trafficking in women and girls.

Participation in political and public life and representation at the international level

14. The report indicates the prevailing underrepresentation of women in decision-making bodies, despite their ability to mobilize (p. 12). What efforts have been made to achieve equal representation of women and men in political and public life, and have these included temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, such as quotas, to increase the numbers of women in decision-making bodies?

Nationality

15. Please indicate what the Government is doing to amend or repeal laws whereby a woman cannot transfer her nationality to her children in all cases so as to bring its legislation into conformity with the Convention.

Education

16. On page 33 of the report, it is stated that data on progress in enrolment in primary schools conceals large disparities between boys and girls, between urban and rural areas and between regions. At other levels males predominate. The higher the level, the larger the gap (p. 34), until the enrolment of girls at the tertiary level becomes negligible (p. 35). Women and girls are inadequately represented at all levels in the education system, including as teachers. What has been the impact of the national policy on the education of girls, and what strategic actions have been successful? What concrete steps have been taken to address the remaining challenges?

17. Please explain the impact of the repeal of provisions that prohibited young girls who became pregnant from attending school. How many girls and young women are benefiting from this repeal annually, on average?

18. Please provide information on the findings of studies undertaken on the issue of gender stereotyping in textbooks (p. 36) and on measures taken to revise school curricula and textbooks.

Employment and poverty

19. The report states on page 39 that equality of opportunity as laid down in the law is still being applied only hesitantly. Please provide information on the steps taken or measures envisaged to increase women's employment and training opportunities in the civil service and remove the pay gap between the sexes.

20. The report focuses mainly on the situation of women in the civil service. Please provide information on the de facto situation of women in the private sector. In particular, provide greater detail, including on any programmes to enhance women's position in the formal labour market (p. 53).

21. The report, in the section on article 13, describes the situation of women in the informal sector and of women entrepreneurs. Please describe progress set out on page 53 under the heading "outlook".

Health

22. Notwithstanding the existence of the Decennial Social and Health Programme, the report depicts the precarious health situation of women and girls, with high rates of mother and child morbidity and mortality, a predominance of infectious, parasitic and nutritional diseases, inadequate coverage of health care, under-utilization of services, a dire lack of medications and health supplies, inadequately trained and motivated staff and too few women who obtain pre- and post-natal care (pp. 44 and 45). Please provide details of initiatives to improve the health of women and girls and information on the impact of the actions taken.

23. The report discusses the prevalence of 16 harmful traditional practices listed on pages 45 and 46. According to the report, excision — a practice the Government is addressing with special emphasis — affects 94 per cent of Malian girls and women. The Government has taken a significant number of important steps to combat this practice. Please provide an assessment of the impact of these measures and information on whether the Government plans to introduce legislation to sanction this practice.

24. It is stated that women are more at risk of HIV/AIDS owing to certain sociocultural and socio-economic factors, in particular levirate marriage, illiteracy and extreme poverty (p. 45). Please assess the effectiveness and obstacles vis-à-vis the numerous steps that the Government has been taking to overcome the factors that make women more vulnerable to HIV/AIDS.

25. The laws in place in regard to abortion are restrictive. The report does not provide information on the extent to which women resort to illegal abortions and how many such women die as a result. The report also notes that the contraceptive

prevalence rate is very low (8 per cent). What plans are in place to enhance the availability and accessibility of comprehensive sex education and family planning services, including to reduce teenage pregnancy (which leads to dropping out of school) and the need for women to resort to illegal abortion (which puts their lives at risk)?

Rural women

26. The report indicates that 75 per cent of women in rural areas are engaged in agriculture. Please provide information on achievements and challenges of the Government's Rural Development Master Plan (p. 59), in particular the strategies therein for supporting rural women, as well as an assessment of the projects and programmes undertaken to achieve compliance with article 14 of the Convention (p. 60), and to address the negative influences of customs, especially in respect of access to land, and traditions on rural women's advancement.

Marriage and family relations

27. On pages 11 and 23 of the report, it is stated that 42 per cent of women live in polygamous relationships (45 per cent of rural women). It is further reported that women agree to polygamy when they marry. What factors prompt their acceptance, and what efforts are being made to change existing attitudes regarding polygamy and to abolish the practice, in accordance with the Committee's general recommendation 23 on marriage and family relations?

28. The current Marriage and Guardianship Code contains many discriminatory provisions in regard to age of marriage, divorce, inheritance and differences of rights between spouses during marriage, including the right of choice of domicile. What are the reasons for the lengthy delay in enacting the new Family Code, under consideration since 1998?

Optional Protocol

29. Please describe measures in place to publicize the Optional Protocol and encourage its use.

Notes

¹ Page numbers refer to the English version of the report.