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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Mali

Addendum

**Views on conclusions and/or recommendations, voluntary
commitments and replies presented by the State under
review**

* The present document was not edited before being sent to the United Nations translation services.

I. Accepted recommendations

112.6 Adopt a specific legislation aimed at prohibiting all forms of FGM (Switzerland)

The Government supports this recommendation.

112.7 Adopt criminal laws explicitly prohibiting FGM and excisions and provide appropriate penalties (Germany)

The Government supports this recommendation.

112.13 End grave human rights violations (arbitrary executions, torture, destruction of places of worship and deprivation of the freedom of religion) principally committed by fundamentalist armed groups operating in the north of the country (Holy See)

The Government accepts this recommendation.

112.14 Intensify the public awareness campaign against FGM and adopt, and implement, legislation prohibiting and criminalizing FGM (Czech Republic)

The Government accepts this recommendation.

112.15 Take legislative measures to prohibit all forms of FGM and ensure that perpetrators of this harmful practice are brought to justice (Hungary)

The view expressed in respect of 112.14 also applies to this recommendation.

112.16 Adopt measures to ban FGM and enhance the awareness campaign, in accordance with the United Nations General Assembly's recent resolutions (Italy)

The view expressed in respect of 112.14 also applies to this recommendation.

112.17 Enact legislation prohibiting all forms of traditional practice of FGM in line with recommendations made by CEDAW and the Committee on the Rights of the Child (Montenegro)

The view expressed in respect of 112.14 also applies to this recommendation.

112.18 Take adequate measures to eradicate FGM (Netherlands)

The Government accepts this recommendation.

112.19 Urgently adopt legislation to ban FGM (Portugal)

The view expressed in respect of 112.18 also applies to this recommendation.

112.20 Take all feasible measures to protect children from recruitment by State-allied and non-State armed groups, including contributing information, analysis and recommendations to the United Nations and other stakeholders to support and strengthen their efforts to ensure that international standards are upheld (Ireland)

The Government accepts this recommendation.

112.21 Address expeditiously the reported recruitment of child soldiers by the rebel groups in accordance with international human rights standards (Slovakia)

The Government accepts this recommendation.

112.22 Take measures to hold accountable perpetrators of serious human rights violations by the armed groups and to offer redress to the victims in Northern Mali (Republic of Korea)

The Government accepts this recommendation.

112.23 Evaluate the possibility of adopting all necessary measures to guarantee the right to justice, truth and reparation for victims and their family members in cases of serious human rights violations (Argentina)

The Government accepts this recommendation.

112.24 Conduct prompt, impartial and effective investigations into cases of extrajudicial executions and prosecute those responsible (Canada)

The Government accepts this recommendation.

II. Recommendations not accepted

112.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal)

Mali cannot accept this recommendation as the State does not currently have the resources to ensure the effective implementation of the rights set out in that instrument.

112.2 Look into ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2) (State of Palestine)/Ratify ICCPR-OP2 without reservations aiming at the abolition of the death penalty (Slovenia)/Ratify ICCPR-OP2 aiming at the abolition of the death penalty and take measures for its abolition (Switzerland)

The Government rejects this recommendation. The current context (transitional government; political, economic and security crisis) is not conducive to the ratification of the Second Optional Protocol aiming at the abolition of the death penalty. Mali has had a de facto moratorium on the use of the death penalty since the 1980s and all death sentences are commuted to prison sentences.

112.3 Come up with sustainable and comprehensive measures to ensure lasting peace among tribal groups (Republic of Korea)

The Government is of the view that this recommendation cannot be accepted. There are no wars or tribal problems among the various ethnic groups that make up the Malian nation. This recommendation is unfounded and does not take account of the objective social realities in Mali.

112.4 That the National Assembly adopts the draft law to abolish the death penalty (Holy See)/Speed up internal procedures towards the approval of the draft bill to abolish the death penalty (Portugal)/Abolish the death penalty in the law (France)/Approve the draft bill leading to the complete abolition of the death penalty (Slovakia)/Evaluate the possibility of promulgating a draft bill on the abolishment of the death penalty, which is still pending before the National Assembly (Argentina)

The Government has adopted a bill on the abolition of the death penalty. Consideration of the bill before the National Assembly has been deferred repeatedly and now postponed indefinitely due to the social tension and fervour the issue provoked. Major awareness-raising campaigns are required to help people accept the idea. The Government therefore rejects this recommendation until the public is more receptive to the idea of abolishing the death penalty.

112.5 Amend the Personal and Family Code to include explicit reference to its international obligations as regards women's rights (Hungary)/Revise the Personal and Family Code to fully align it with international human rights standards, including with women's rights as set out in CEDAW (Denmark)/Look into amending the Personal and Family Code in accordance with international standards on women's

human rights (State of Palestine)/Take steps to review the Personal and Family Code by taking measures to eliminate all forms of gender discrimination and promote and protect women's and children's rights (Sweden)/Take the necessary measures to ensure gender equality and revise the provisions of the Personal and Family Code which are not in compliance with international human rights norms relating to the rights of women (Turkey)

The Government rejects this recommendation on the ground that the revision requested by the international community would call into question the hard-won results achieved through compromise between the various sectors of society and embodied in the Personal and Family Code. The recommendation involves social changes that would be liable to weaken and jeopardize the social cohesion needed to normalize the situation in the country.

112.8 Issue and implement a standing invitation to the special procedures of the Human Rights Council (Czech Republic)/Extend a standing invitation to the special procedures of the Human Rights Council (Guatemala)/Extend a standing invitation to all mandate holders (Hungary)/Consider extending a standing invitation to all the special procedures mandate holders of the Human Rights Council (Latvia)/Issue a standing invitation to all special procedures of the Human Rights Council (Portugal)/Extend an open and standing invitation to all special procedures of the Human Rights Council (Spain)

The Government rejects this recommendation.

112.9 Commute all existing death sentences to imprisonment and ensure the complete abolition of the death penalty, including through the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2) (Hungary)

The Government rejects this recommendation. Although in practice all death sentences have been commuted into prison sentences since the 1980s, this does not alter the fact that the second element of the recommendation concerning the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights has the potential to create social unrest.

112.10 Commute all death penalties, progressively reduce the number of offences punishable with death penalty and adopt subsequent measures to ensure its full abolition, including by acceding to ICCPR-OP2 (Uruguay)

The view expressed in respect of 112.9 also applies to this recommendation.

112.11 Take measures towards complete abolition of the death penalty (Montenegro)

The view expressed in respect of 112.9 also applies to this recommendation.

112.12 Take all necessary measures to avoid collective and arbitrary punishments of presumed rebels' collaborators; put an end to the abuses committed by security forces and to the practice of enforced disappearances, particularly of minorities and journalists (Germany)

The Government rejects this recommendation. There have been no cases of disappearances of journalists in Mali, let alone disappearances of minorities.

112.25 Investigate allegations of and bring to trial the perpetrators of extrajudicial executions taking place as part of the struggle with the Tuaregs, as well as the allegations of torture made in the cells of the State security services (Costa Rica)

This recommendation, as it stands, is rejected.

112.26 Carry out effective investigations with all sectors of the community and ethnic groups in order for all to enjoy their human rights (Libya)

This recommendation is rejected because no groups face ostracism or stigmatization in Mali.
