

Recommendations & Pledges

MALI

Second Review Session 15

Review in the Working Group: 22 January 2013
Adoption in the Plenary: 6 June 2013

Mali's responses to recommendations (as of 17.07.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
97 recs accepted (85 of which were considered to be implemented or in the process of implementation), 1 rejected and 27 left pending	Out of the 27 pending, 14 were accepted, 12 were rejected, and 1 was not responded to (n° 112.27-> pending)	The delegation stated accepting 112 recommendations and commented the rejected 13. It did not comment the pending one but we can assume that is was accepted	Accepted: 112 Rejected: 13 No clear position: 0 Pending: 0 Total: 125

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/23/6:

110. The recommendations formulated during the interactive dialogue listed below enjoy the support of Mali:

A - 110.1 Continue the process of ratifying the international human rights treaties to which is not yet a party. (Burkina Faso);

A - 110.2 Take all measures to hold free and fair elections in 2013 (United Kingdom of Great Britain and Northern Ireland);

A - 110.3 Ensure full alignment of its national legislation with all obligations under the Rome Statute of the International Criminal Court (Slovakia) / Step up its efforts to align the domestic legislation with the provisions of the Rome Statute (Tunisia);

A - 110.4 Undertake a revision of the National Human Rights Commission's independence, including its economic independence, in order to bring the Commission's legal foundation de facto into compliance with the Paris Principles (Denmark);

A - 110.5 Allocate the necessary financial resources to the National Programme to Combat the Practice of Excision, so that it reaches the goals set for the period 2010–2014 (Uruguay);

A - 110.6 Continue cooperating with the Office of the High Commissioner for Human Rights (OHCHR) to ensure the best possible solutions for the full protection of human rights by all the citizens of the country (Romania);

A - 110.7 Continue the close cooperation with OHCHR and the international community in order to face the challenges in terms of transitional justice for human rights violations occurred during the current crisis (Spain);

A - 110.8 Continue to work to improve the country's human rights situation, including in northern Mali, in cooperation with the international community (Japan);

A - 110.9 Strengthen the technical assistance so as to allow Mali to overcome its difficulties and improve the human rights situation in the country (Angola);

A - 110.10 Continue the efforts to mobilize all stakeholders who can support its initiatives to promote and protect human rights (Burkina Faso);

A - 110.11 Take all measures needed to ensure that those operations being carried out to tackle terrorism and restore Mali's sovereignty over its whole territory are undertaken with a strict respect of the international humanitarian law while making sure that full protection is extended to the civilian population (Belgium);

A - 110.12 Promote freedom of religion within its public bodies and also through public awareness programmes, particularly among the people of the North, once the situation has been stabilized (Canada).

111. The following recommendations enjoy the support of Mali, which considers that they are already implemented or in the process of implementation:

A - 111.1 Make all efforts to accelerate an inclusive political process that returns Mali to a constitutional State (United States of America);

A - 111.2 Organize, as a matter of urgency, inclusive national political consultations to reinstate democracy and rule of law (Australia);

A - 112.3 Continue the efforts aimed at holding free, credible and transparent elections, by adopting an inclusive approach bringing together all sectors of Malian society (Algeria);

A - 111.4 Continue measures to re-establish the unity of the State to bring about the Constitutional order and to organize universal democratic elections (Russian Federation);

A - 111.5 Establish a roadmap for the holding of elections at the earliest possible time (Mexico);

A - 111.6 Strengthen the solidarity of all parties in Mali, smoothly complete political transition and restore national unity and territorial integrity so that the Malian people could earnestly enjoy all human rights (China);

A - 111.7 Strive to minimize human rights violation in its attempt to restore law and order in the country (Indonesia);

A - 111.8 Undertake the necessary measures to bring its national legislation in conformity with international human rights conventions (Netherlands);

A - 111.9 Reinforce all efforts to preserve the progress achieved in a large number of areas such as justice, promotion of freedom, education and health, the fight against inequality and against child trafficking, and public freedoms (Congo);

A - 111.10 Harness the necessary international cooperation to implement a sustainable educational and cultural campaign, in time and space, to achieve the full eradication of the use of and practice of the so-called female genital mutilation as a contribution to the comprehensive development of women in Mali, and their right to health in particular (Paraguay);

A - 111.11 Cooperate closely with the United Nations human rights mechanisms in Mali. (Austria) / Continue ongoing efforts to timely submit due national reports to the treaty monitoring bodies (Guatemala) / Pursue efforts, with the support of the international community, for the submission of the reports that were due to the treaty bodies, including the Human Rights Committee and the Committee against Torture (Montenegro) / Submit promptly all due reports to international treaty bodies (Slovenia) / Submit the expected reports to the Human Rights Committee and the Committee against Torture as soon as possible (Germany); / Continue making efforts to prioritize the reports to the treaty bodies (Chile);

A - 111.12 Cooperate fully with all special procedures mandate holders of the Human Rights Council and give a favourable response to requests for visits made by the special procedures mandate holders (Chile);

A - 111.13 Carry out more efforts to combat all kinds of discrimination and violence against women (Libya);

A - 111.14 Take further steps to ensure equal treatment and non-discrimination against women as well as to expand representation of women in decisionmaking positions (Thailand);

A - 111.15 Ensure full respect for women's rights (Slovenia);

A - 111.16 Continue to implement measures to protect and promote women's rights (Australia);

A - 111.17 Uphold the de facto moratorium on executions with a view to abolishing the death penalty as soon as possible (Italy);

A - 111.18 Establish a death penalty moratorium and look for measures for its complete elimination (Costa Rica);

A - 111.19 Provide the police and armed forces with clear instructions and the necessary training so that they act in accordance with international human rights norms, in particular with regard to extrajudicial executions, torture and ill-treatment, arbitrary detentions and acts of intimidation (Canada);

A - 111.20 Provide police, gendarmerie and the armed forces with clear instructions and the necessary training to act in accordance with International Human Rights standards (Montenegro);

A - 111.21 Give clear orders to the security forces regarding the need to constantly respect international human rights norms, especially the full prohibition of torture and other ill-treatments (Tunisia);

A - 111.22 Seize this opportunity to do its utmost to safeguard the fundamental rights of all citizens, regardless of gender and ethnicity, in all of its territory, in line with the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments (Norway);

A - 111.23 Adopt and implement measures to ensure that international human rights standards are observed by the Malian Armed Forces, in particular the absolute ban on torture and ill-treatment and to ensure that all reports of torture and other ill-treatment are investigated effectively, with those responsible being brought to justice (Ireland);

A - 111.24 Guarantee the respect for human rights and international humanitarian law by the defence and security forces, particularly as regards their treatment of prisoners (France);

A - 112.25 Step up efforts to eradicate female genital mutilation (FGM), known as “excisions”, which is a most common practice rooted in the Malian tradition (Djibouti);

A - 111.26 Eliminate the practice of FGM and promote the participation of women in society (Holy See);

A - 111.27 Continue its efforts to eradicate the practice of female genital mutilation, encouraging the strengthening of its efforts for the total emancipation of women and their full participation in public affairs (Rwanda);

A - 111.28 Adopt all necessary measures to eradicate the persistent practice of FGM, including, inter alia, new awareness-raising campaigns in cooperation with international and regional organizations and civil society (Uruguay);

A - 111. 29 Strengthen efforts to promote and protect the human rights of women in the North of Mali (Djibouti);

A - 111.30 Protect women against all forms of sexual violence and ensure full respect of the Security Council resolutions on “Women, Peace and Security” in the management of the conflict, particularly by ensuring effective participation of women in the political dialogue (France);

A - 111.31 Urgently act to protect women against any form of sexual violence (Italy);

A - 111.32 Take all appropriate measures to prohibit and punish all forms of sexual violence against women and girls by the different armed groups (Belgium);

A - 111.33 Continue to enhance its efforts to eradicate child labour (Japan);

A - 111.34 Abide by the standards of the International Labour Organization (ILO) in the area of child employment and prohibit child prostitution and punish perpetrators of such acts (Libya);

A - 111.35 Take measures to ensure that children under 18 are protected against sale and trafficking, and that investigations and prosecutions of offenders were carried out, and penalties imposed (Egypt);

A - 111.36 Adopt all necessary measures to combat effectively the child labour and trafficking of children (Slovenia);

A - 111.37 Undertake efforts to combat illegal trafficking of persons, in particular those indicated in the United Nations Convention against Transnational Organized Crime and the Protocols Thereto (Libya);

A - 111.38 Implement a national programme to combat trafficking and sexual exploitation of women and children (Mexico);

A - 111.39 Take all necessary measures for the protection of the rights of children, to prevent the recruitment of child soldiers by parties to the conflict and to establish mechanisms for the reintegration of demobilized children (France);

A - 111.40 Take concrete measures to combat the recruitment and use of children in hostilities and ensure their return to their families (Italy);

A - 111.41 Continue to respect its national and international obligations with regard to a ban on the recruitment of children by the armed forces, including by the holding of awareness-raising campaigns (Belgium);

A - 111.42 Ensure that measures be taken during military operations aimed at mitigating the impact of the armed conflict on children, by guaranteeing the principles of distinction, proportionality and precaution (Belgium);

A - 111.43 Take measures to combat drug trafficking and arms smuggling in northern Mali (Sri Lanka);

A - 111.44 Take all necessary measures to prevent reprisals and inter-communal violence, and to disarm the militias (France);

A - 111.45 Identify and hold accountable all perpetrators of human rights abuses in the north and in Bamako through a transparent judicial process (United States of America);

A - 111.46 Prosecute, directly or through the international justice system, all the perpetrators of serious violations of human rights (Italy);

A - 111.47 Investigate all crimes committed in relation to the crises in Mali, in all areas of the country (Norway);

A - 111.48 Undertake effective and impartial investigations into all reports of extrajudicial executions, torture, other ill-treatment and violence, to bring to justice those suspected of criminal responsibility and to ensure that human rights of the whole population are being protected, especially those of most vulnerable groups, including women and children (Lithuania);

A - 111.49 Ensure prompt and credible investigation of all alleged cases of sexual violence perpetrated by armed groups regardless their affiliation and provide appropriate redress to victims (Slovakia);

A - 111.50 Ensure that all those responsible for violations of human rights, including the right to life, liberty and security, be brought to justice (Poland);

A - 111.51 Guarantee the fight against impunity ensuring that all perpetrators of human rights violations are prosecuted, particularly by continuing to cooperate with the International Criminal Court (France);

A - 111.52 Take strong measures to prevent human rights violations and abuses by its own security forces and conduct investigations on alleged human rights violations by the security forces since March of 2012 (Republic of Korea);

A - 111.53 Continue to undertake efforts to enhance the rule of law to ensure that the rights of its people are better protected (Singapore);

A - 111.54 Provide for the full independence of the judicial branch and the freedom of the press (Holy See);

A - 111.55 Establish a judicial commission of inquiry for cases of enforced disappearances and torture carried out against members of the armed and police forces who were opposed to the military junta after the attempted coup d'état in April 2012 (Spain);

A - 111.56 Create a judicial commission to investigate violations and abuses of human rights committed in the North of the country (Spain);

A - 111.57 Strengthen the controls to avoid acts of reprisals or acts contrary to the human rights and international humanitarian law following the changes in the situation in the North of the country (Spain);

A - 111.58 Ensure an effective implementation of the criminal legislation and the respect of the principle of a 48 hour limit for any legal framework (Sweden);

A - 111.59 Continue its efforts in the area of gender equality and protection of women and children as well as the human rights training activities for members of the armed and security forces, magistrates, judicial officials and prison authorities (Tunisia);

A - 111.60 Continue providing human rights training to law enforcement officials and judges to reinforce a culture of human rights (Turkey);

A - 111.61 Investigate and prosecute members of the security forces implicated in recent serious human rights violations, in accordance with international fair trial standards (United Kingdom of Great Britain and Northern Ireland);

A - 111.62 Investigate all allegations of murder of civilians, torture, ill-treatment, sexual violence and arbitrary detentions carried out by the Malian army, police or other bodies under the control of the Government and ensure that perpetrators of crimes are brought to justice (Austria);

A - 111.63 Continue the efforts already deployed to strengthen democratic institutions and to re-establish constitutional order delivered by the strengthening of the Rule of Law and of the judicial system as well as by providing for increased protection for women and children (Belgium);

A - 111.64 Guarantee freedom of religion and worship to all persons in the country (Holy See);

A - 111.65 Ensure that freedom of religion or belief be observed in all parts of the country and all religious sites be duly protected (Poland);

A - 111.66 Take measures to provide for the effective protection of human rights and due process of law while guaranteeing freedom of religion and belief for all its population (Thailand);

A - 111.67 Continue their efforts aiming at protecting freedom of expression and end practices that threaten the right to freedom of expression, including threats against journalists and media (State of Palestine);

A - 111.68 Guarantee the free exercise of freedom of expression, particularly by investigating and prosecuting all attacks on journalists (Spain);

A - 111.69 Ensure the safety of journalists and put an end to the impunity currently enjoyed by perpetrators of such attacks (Austria);

A - 111.70 Continue to promote women's rights, and specifically, to promote women's access to national decision-making bodies (Burundi);

A - 111.71 Keep legal and procedural efforts to implement measures for women's access to a broader range of jobs and to address the causes of the concentration of women in the informal sector (Egypt);

A - 111.72 Continue implementing ongoing socio-economic development projects and programmes, in particular those aimed at combating poverty (Cuba)/Continue the efforts aimed at implementing the Growth and Poverty Reduction Strategic Framework (2012–2017) (Algeria) / Improve the implementation of national programmes in development and poverty eradication (Sudan);

A - 111.73 Strengthen poverty reduction and access to education and health services programmes (Mexico);

A - 111.74 Continue efforts aimed at improving the national nutrition consumption including accelerating the process of adopting a national policy paper on this matter (Malaysia);

A - 111.75 Improve and ensure adequate access to health care and education for children (Poland);

A - 111.76 Carry on with projects to decrease the lack of access to safe drinking water and sanitation in order to combat the risk of cholera contamination (Egypt);

A - 111.77 Redouble its efforts in designing a comprehensive health programme, including through providing access to safe drinking water and sanitation (Indonesia);

A - 111.78 Maintain positive efforts to improve the functioning of its education system, particularly by increasing school attendance rates (Egypt);

A - 111.79 Redouble its efforts in strengthening its educational system including accelerating the implementation of all the recommendations deriving from its National Forum on Education held in 2008 (Malaysia);

A - 111.80 Continue to strengthen its education system, including vocational training, with support from the international community (Singapore);

A - 111.81 Promote a programmatic approach which includes the protection of the rights of children, gender perspective and education (Chile);

A - 111.82 Protect the human rights of the most vulnerable persons, including displaced persons, children and women (Romania);

A - 111.83 Guarantee the protection of all internally displaced persons regardless of their ethnic origin (Austria);

A - 111.84 Continue to work closely with regional bodies, the United Nations and donor partners to seek sustainable solutions to the refugee and humanitarian crisis in order to uphold human rights and protect civilians. (Australia);

A - 111.85 Continue to combat terrorism in all its manifestations (Sri Lanka).

112. The following recommendations will be examined by Mali, which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:

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

R - 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);

R - 112.3 Put an end to the institutional crisis so that Malian political actors can speak with a same voice for resolving the political crisis and re-establishing the territorial integrity of the country (Chad);

R - 112.4 Come up with sustainable and comprehensive measures to ensure lasting peace among tribal groups (Republic of Korea);

R - 112.5 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);

A - 112.6 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);

A - 112.7 Adopt a specific legislation aimed at prohibiting all forms of FGM (Switzerland);

R - 112.8 Adopt criminal laws explicitly prohibiting FGM and excisions and provide appropriate penalties (Germany);

R - 112.9 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);

R - 112.10 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);

R - 112.11 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);

R - 112.12 Take measures towards complete abolition of the death penalty (Montenegro);

A - 112.13 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);

A - 112.14 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);

A - 112.15 Intensify the public awareness campaign against FGM and adopt, and implement, legislation prohibiting and criminalizing FGM (Czech Republic);

A - 112.16 Take legislative measures to prohibit all forms of FGM and ensure that perpetrators of this harmful practice are brought to justice (Hungary);

A - 112.17 Adopt measures to ban FGM and enhance the awareness campaign, in accordance with the United Nations General Assembly's recent resolutions (Italy);

A - 112.18 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);

A - 112.19 Take adequate measures to eradicate FGM (Netherlands);

A - 112.20 Urgently adopt legislation to ban FGM (Portugal);

A - 112.21 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);

A - 112.22 Address expeditiously the reported recruitment of child soldiers by the rebel groups in accordance with international human rights standards (Slovakia);

A - 112.23 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);¹

A – 112.24 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);

R – 112.25 Conduct prompt, impartial and effective investigations into cases of extrajudicial executions and prosecute those responsible (Canada);

R – 112.26 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);

A – 112.27 Carry out effective investigations with all sectors of the community and ethnic groups in order for all to enjoy their human rights (Libya).

113. The recommendations below did not enjoy the support of Mali:

R – 113.1 Study the possibility of taking measures against religious discrimination and religious based violence (Argentina).

Endnotes

1 The recommendation as read during the interactive dialogue: “Take measures to hold accountable its perpetrators and to offer redress to the victims in this region (Republic of Korea)”.

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