

Republic of Mali
One People – One Goal – One Faith



**FIRST MALI REPORT ON THE IMPLEMENTATION OF THE AFRICAN
CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD**

FOR THE 1999 – 2006 PERIOD

Bamako, September 2007

ACRONYMS AND ABBREVIATIONS

AN-RM	National Assembly of the Republic of Mali.
PTA	Parents-Teachers Association
ARV	Anti- Retroviral
ASACO	Association de Santé Communautaire (Community Health Association)
CAFO	Coordination of Associations and Women NGOs of Mali
CRC	Convention on the Rights of the Child
CED	Centre d'Education pour le Développement (Education Centre for Development)
CESC	Economic, Social and Cultural Council
CNAPN	Comité National d'Action pour l'Eradication des Pratiques Néfastes à la santé de la Femme et de l'Enfant (National Action Committee for the Eradication of Harmful Practices on the Health of the Women and the Child)
CNDIFE	Centre National de Documentation et d'Information sur la Femme et l'Enfant. (National Documentation and Information Centre on the Woman and the Child)
COMADE	Coalition Malienne des Droits de l'Enfant (Malian Coalition for the Right of the Child)
CPE	Code for the Protection of the Child
CSCOM	Centre de Santé Communautaire (Community Health Centre)
CSLP	Poverty Alleviation Strategic Framework
DNPF	National Department of Women Empowerment.
DNPEF	National Department for the Promotion of the Child and the Family
DNSI	National Department of Statistics and Data Processing
EDS III	Population and Health Survey of Mali 2001
HCCT	High Council of Territorial Councils
IMAARV	Malian Initiative for Access to Anti-Retrovirals
STI	Sexually Transmitted Infection
MDSSPA	Ministry of Social Development, Solidarity and Aged Persons
MEF	Ministry of the Economy and Finance
MEN	Ministry of National Education
MPFEF	Ministry of Women Empowerment, the Child and the Family
NICT	New Information and Communication Technology
NGO	Non-Governmental Organisation
CSO	Civil Society Organisation
UNO	United Nations Organisation
WP	Work Plan
NAP	National Action Plan to monitor child development and protection
GDP	Gross Domestic Product
PISE	Investment Programme for the Education Sector
PNLS	National Aids Control Programme
PRODEC	Decennial Education Development Programme
PRODEJ	Decennial Justice Development Programme
PRODESS	Social and Health Development Programme
PTME	Mother-Child Transmission Prevention Programme
RBC	Community Based Readaptation
SASDE	Strategy for Accelerated Monitoring and Development of the Young Child
RH	Reproductive Health.
TBS	Gross Scholarisation Rate
HIV	Human Immunodeficiency Virus
ILB	Intenational Labour Bureau
UNICEF	United Nations International Children's Fund
OEF	Employment and Training Observatory
DNP	National Department of the Population
SISo	Social Information System
SLIS	Local Health Information System
CPS	Planning and Statistics Unit
CONAFE	Coalition of African NGOs for Children
VAEN	Violence, Abuse, Exploitation and Negligence

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I

INTRODUCTION

1.1. The protection of the right of the child has been and remains a major concern of the Malian Government; proof of it is the multifaceted activities undertaken in this area. Among these actions are the adoption of many national laws and regulations, but also subscribing to several international instruments.

Under international law, there is, *inter alia*, the United Nations Convention on the Rights of the Child adopted on 20 November 1989 and ratified by our country in 1990. Mali presented its second report on the implementation of the Convention in January 2007.

Another convention that Mali has ratified (on 3 June 1998) is the African Charter on the Rights and Welfare of the Child. That charter was enacted in 1999 after 15 (fifteen) ratifications, as stipulated in Article 47 paragraph 3.

In this Charter, State parties “reaffirm their adherence to the principles of the rights and protection of the child enshrined in declarations, conventions and other instruments adopted by the OAU and UNO ...”.

This charter, whose drafters were inspired by the United Nations Convention on the Rights of the Child, has many similarities with it. In fact, the fundamental principles of child protection are the same, as well as the areas of rights covered by both conventions.

However, this charter is peculiar as compared to the United Nations Convention: it is its regional character. In fact, the Children’s Charter was adopted within the framework of the OAU (now African Union). From there, its drafters were concerned, certainly, about taking into consideration some African concerns on the rights of the child especially in relation with its cultural background.

Thus, African member states of the organisation and that are parties to the Children’s Charter have, in its preamble stated that they “shall take into consideration the virtues of their cultural heritage, their history and values of African civilization which should inspire and guide their thinking on human rights and child protection”.

Another peculiarity of this charter is the emphasis laid on duties of the child. Yes, the child rights under which it must be protected, but it also has duties that must be carried out.

The Children’s Charter provides in its Article 43 that State Parties shall submit to the Committee (provided for in Articles 32 and the following) reports on measures they have adopted to implement the provisions of the Charter, as well as progress made in the exercise of these rights:

- every two years after the entry into force of the Charter ;
- thereafter, every three years.

In view of this provision and given the entry into force of the Charter in 1999, our country is late in the production of reports. That is why our country, faithful to abiding by its international commitments, decided to hereby prepare and submit its first report (initial report) on the implementation of the African Charter on the Rights and Welfare of the Child that we will in this report refer to as the Children’s Charter.

The presentation of areas of implementation of the Children's Charter will cover the period 1999 to 2006 considering the date of entry into force of the Charter for Mali.

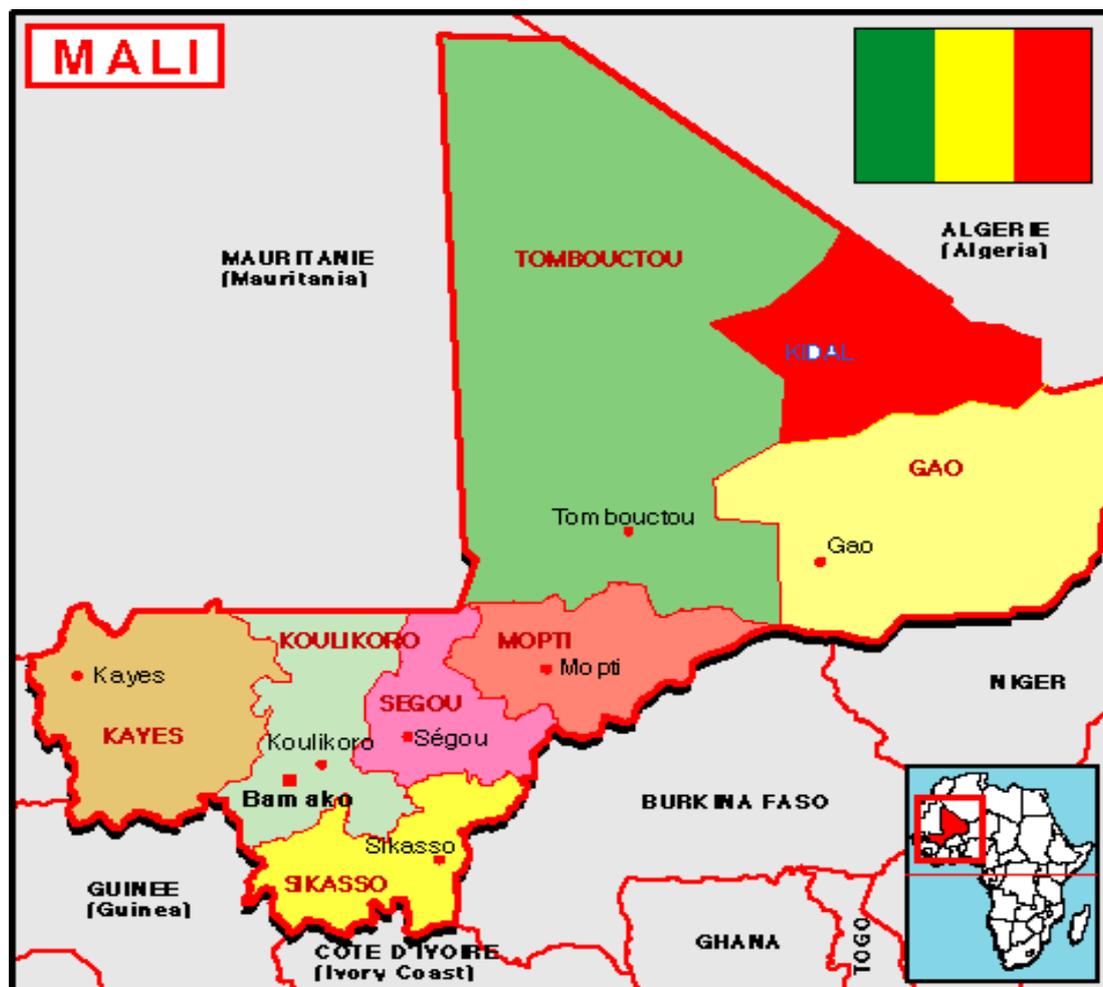
This presentation is made in accordance with the guidelines proposed by the African Committee of Experts on the Rights of the Child. The outline for writing this report is as follows:

- General implementation measures ;
- Definition of a child ;
- General principles of child protection ;
- Civic rights and freedoms ;
- Family environment and alternative care ;
- Basic health and welfare of the child ;
- Education, leisure and cultural activities ;
- Special child protection measures ;
- Responsibilities of the child.

1.2. Overview of Mali

1.2.1. Geographical and administrative background.

With a surface area of 1 241 238 km², Mali is at the heart of West Africa, it is landlocked and share borders with 7 countries: Algeria, to the north, Burkina Faso and Niger to the East, Ivory Coast and Guinea to the south, Mauritania and Senegal to the West.



The topography, slightly rough with an average altitude of 500 m, is made up mostly of plateaus and plains: the Manding plateau, the Koutiala Plateau and Bandiagara cliffs, vast desert plains and rivers.

The climate is dry with the year divided into two seasons: a dry season and a rainy season called winter, which lasts averagely for three months in the south and one month in the north. Rainfall is between 1 300 and 1 500 mm in the south with a national average of 200 mm.

The vegetation is made up of woody savannahs in the south in the Guinean zone, woody and shrubby savannah in the southern Sudanese zone, shrubby savannah in the northern Sudanese zone and mainly grassland savannah in Sahelian zone. There is some rare spines in the desert zone.

The country is covered mainly by the Rivers Niger (about 1 500 km) and Senegal (about 800 km) and their tributaries and confluences.

With a population of 12.3 million (ELIM 2006) of which 50.4% are women, the population is for the most part made up of youths and children: 58.5% are under 20 years old, 49% under 15 years old. The average population density is 9.4 inhabitants per km². life expectancy at birth is about 64.4 years (63.6 years for men and 67.2 years for women) and the average growth rate of the population stands at 2.2% per year.

The main ethnic groups are the Bambara, Malinke, Sarakole, Peul, Sonrhäï, Dogon, Bobo, Senufo, Minianka, Moor, Tuareg, Arab, etc.. The majority of the population lives in rural areas; 97% are sedentary, 3% are nomads.

Mali is subdivided :

- Nationally into 8 administrative regions: Kayes, Koulikoro, Sikasso, Ségou, Mopti, Tombouctou, Gao, Kidal and the Bamako District which is the capital ;
- Regionally into 49 circles ;
- Locally into 703 rural and urban.

1.2.2. Socio-economic background :

A.) Some economic indicators :

- The primary sector employs 83.4% of active employees, the secondary and tertiary sectors account for 4.1% and 12.5% of active employees respectively ;
- The unemployment rate is about 2.6% (DNSI 2006). Unemployment affects more women than men, the female unemployment rate stands at 3.5% as against 1.9% for males ;
- The GDP growth rate is 5.8% ;
- The average annual inflation rate is 1.5% ;
- Public debt servicing for 2006 stood at 53 000 000 000 CFA Francs.

B.) Some indicators on education :

The 2006 - 2007 school year was marked by the launching of the second phase of the PISA II. Basic education in Mali includes preschool education, special education, basic education, teacher training and non-formal education.

- **Preschool education** : the preschool rate was 6% in 2006 with 444 structures and 1510 guidance staff with an enrolment of 54 591 children in 2006 ;
- **Special education** : 9 structures with 127 teachers and facilitators. 2010 children were cared for in 2006 ;
- **Basic education** : 8 700 first cycle schools and 1 850 second cycle schools in 2006. The number of enrolled students in the first cycle was 1 737 877 students, of which 44.5% were girls in 2006. In the second cycle, the number of enrolled students was 400 326 students of which 38.4% were girls in 2006 ;
The admission rate for the first cycle was 74.2% in 2006: 81.5% for boys and 67% for girls ;
The gross admission for the second cycle was 36.6% including 48.8% for boys and 27.8% for girls ;
The gross school enrolment rate was 75% for the first cycle and 41.5% for the second cycle in 2006 ;
The success rate was 67.6% for CFEPCEF and 62.3% for DEF ;
Teacher training : 12 training institutions for primary school teachers (IFM) and preschool educators schools (EFEP) admitted 10 269 teacher trainees in 2006 ;
- **Non-formal education** : it includes functional literacy centres (CAF) : 7974 with 336 555 students in 2006 and education centres for development (CED) : 1 581 in 2006 with 46 715 learners ;
- **Secondary education**: it includes :
 - ✓ General secondary education: 162 schools including 43 government high schools that enrolled 89 340 students. The success rate in the Baccalaureate in 2006 was 44.20% ;
 - ✓ Technical secondary education: 137 schools including 13 government institutions with 60 221 students in 2006. The success rate at the CAP : 33.7%, at the BT2 : 71.9% at the Technical Baccalaureate: 70.6%.

C.) Some indicators on health :

- Prenatal consultations (CPN) : 70% according to EDS IV 2006 ;
- Attended deliveries: 49% ;
- DTCP III Vaccination (children from 12 to 23 months): 68% ;
- DTCP III Vaccination (children of less than 12 months): 92% ;
- Juvenile infant mortality: 191 for 1 000 ;
- Contraceptive prevalence rate: 6.4% ;
- HIV prevalence rate: 1.3% ;
- Malnutrition rate among children under 59 months old: 33.9% ;
- Acute malnutrition rate among children under 95 months old: 13.3% ;
- Number of CSCOM in 2006 : 785 ;
- Accessibility of a CSCOM within a radius of 5 Km: 51% ;
- Accessibility of a CSCOM within a radius of 15 Km: 76%.

1.2.3. Political background :

Under the current Constitution promulgated on 25 February 1992, the Republic of Mali is by law a multiparty democracy. The institutions of the republic are :

- The President of the Republic ;
- The Government ;
- The National Assembly ;
- The Supreme Court ;
- The Constitutional Court, ;
- The High Court of Justice ;
- The Economic Social and Cultural Council ;
- The High Council of Local authorities.

II

GENERAL IMPLEMENTATION MEASURES

8. In this part, States are called upon to provide relevant information in accordance with Article 1 of the Children's Charter, especially on :

a) The necessary initiatives undertaken in accordance with their constitutional procedures and with the provisions of the Children's Charter in order to adopt legislative and other measures, in a bid to put into implement the provisions of the Children's Charter.

On 28 February 1996, the Malian Government signed the ACRWC and ratified it on 3 June 1998. On 29 November 1999, the Charter entered into force.

In the 25 February 1992 Constitution, Mali already committed itself to building a genuine rule of law in a democratic system, the real bedrock for respect and promotion of human rights which requires a redefinition of structures, social and economic relations. Mali's Constitution recognizes that the human person is sacred and inviolable and that every individual has the right to life, liberty, security and physical integrity. It also recognizes rights to freedom of thought and association, privacy and family, as well as the right to property. The rights of citizens to education, instruction, training, health and social welfare are also recognized and public education is compulsory, secular and free, the right to work is recognized. The Constitution, without naming specifically children, recognizes their rights as citizens. This meets the requirement for harmonization with the CRC, the ACRWC. The principle of non-discrimination is stated, because it prohibits discrimination based on sex, race or religion. The Constitution in its preamble asserts the commitment of the Malian people to defend the rights of women and children, and thus mainstreams the general principles of the CRC and the ACRWC.

According to Article 166 of the Malian Constitution, "once treaties and agreements duly ratified and approved have been published, they shall have precedence over laws, subject for each treaty or agreement on the implementation by the other party".

b) Measures taken to incorporate the rights and welfare of the child into the State party legislation or in any other international convention or agreement in force in that said State.

With the 25 February Constitution, the protection of the child thus became a national imperative based on the respect and dignity of the child as person and its recognition as a matter of law. The ratification of several international conventions, covenants, treaties and protocols, the adoption of a new penal code and a code on child protection and finally in May 2002, the adoption by the Government of a draft on the Person and the Family was in respond to the concern of our people and our authorities to harmonise our laws with the various international conventions on the rights of the child, as well as regional legal instruments, such as the African Charter of the Rights and Welfare of the Child of the OAU.

Several international legal instruments ratified by Mali have been incorporated in national

legislation through laws, codes and decrees so as align national legislation with those instruments. Broad-based national and regional consultations involving the entire civil society have made it possible to hold wide discussions on reforms to be undertaken, in a bid to update our legislation to be in line with new realities (family law reforms, dissemination of the rights of the child, etc.). Efforts to strengthen the legal framework have been concretised by the adoption of new laws and decrees since the ratification of the ACRWC. By way of illustration, we list some examples in the following areas :

✓ **Juvenile justice :**

Law No. 01 – 081 of 24 August 2001 on the age of criminal responsibility and the establishment of juvenile courts incorporates the United Nations Rules for the Protection of Juveniles Deprived from Their Liberty (Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines) and the CRC (Child Offender Protection). This law protects children in conflicts in accordance with the law with regard to respect to the principle that the interest of the child has to be of prime consideration in all decisions that affects it. Moreover, this law was included in full in Part II of the Child Protection Code, entitled “Offender Child Protection”.

✓ **Education :**

Law No. 99-046 of 28 December 1999 on education counselling law. This law confirms the right to education (Article 4), the non-discrimination on education matter (Article 9), free public and lay education (Article 7), sets the minimum school leaving age for basic education at 15 years (9 years of compulsory schooling, Article 34), the obligation for parents to enrol their children in school and keep them there at least until the end of basic education (Article)..

Decree No. 314/PG-RM of 26 November 1981 on regulating the obligation and school attendance in Article 1 which stipulates that “within the limits of available seats, basic education shall be compulsory”.

The same decree provides for penalties for negligence in the supervision of children by those responsible for recognised failing students.

✓ **Health :**

Decree No. 311 of 4 June 2002 to lay down regulations on remuneration for medical acts and hospitalisation in public facilities grants free medical consultation to children from 0 to 7 years and students.

✓ **Right to special protection measures :**

The adoption of Ordinance No. 02-062/P-RM of 5 June 2002 on the Child Protection Code, in terms of technical codification, is anew approach that law makers want to enshrine in the body of the law the principles and values that they consider as essential and that have to be a core concern and action of various actors concerned with the implementation of the protection system established by the Code.

The Principles enshrined are :

- The best interests of the child ;
- Non discrimination ;
- The primary responsibility of parents and their active involvement in all phases of intervention provided by the Code ;
- Respect for the views of the child and their mandatory participation in all social and legal aspects in their favour ;
- The right of the child suspected or accused of an offence to treatment appropriate to their situation.

The fundamental duties of the child are also specified. These duties represent the civic, moral and cultural reference that help in raising children in the spirit of the ideals of respect, dignity, peace, justice, tolerance, freedom, equality and solidarity that is cherished by the Malian people.

These essential principles and duties are those through which our country is aligning its legislation to the ACRWC. It incorporates the principles of the Riyadh and Beijing Rules on justice for minors.

TABLE 1: EXAMPLE OF ARTICLES OF THE CHILD PROTECTION CODE CORRESPONDING TO SOME PROVISIONS OF THE ACRWC :

<i>Some articles of the African Charter on the Rights and Welfare of the Child</i>	<i>Their corresponding articles in the Child Protection Code</i>
Article 2 : <i>Under this Charter, a « child shall be any human being below the age of 18years.</i>	Article 2 : <i>– A child, under this Code shall mean any person under the age of eighteen and who has not yet reached majority age by special provisions.</i>
Article 4 : <i>In any action concerning a child, undertaken by any person or authority, the best interest of the child shall be paramount.</i>	Article 3 : <i>– The best interest of the child shall be paramount in all measures taken against him by the courts, administrative authorities, public and private social protection institutions.</i>
Article 7 : <i>Every child shall have the right to a name at birth; Every child shall be registered immediately after birth; Every child shall have the right to acquire a nationality;</i>	Article 4 : <i>– Every child shall have the right to an identity at birth and at birth registration. The identity shall consist of the first name, the family name, the date of birth and nationality.</i>

Article 31 : Every child shall have the responsibility towards his family, society, state and other legally recognised community as well as towards the international community. The child, depending on his age and abilities and subject to restrictions contained in this Charter, shall have the duty to :

- a) work for cohesion of his family, respect his parents, his superiors and the elderly in all circumstances and to assist them if necessary ;**
- b) serve the national community by putting his physical and intellectual abilities at its disposal ;**
- c) preserve and strengthen societal and national solidarity ;**
- d) preserve and strengthen African cultural values in his relations with other members of society, in a spirit of tolerance, dialogue and consultation, contribute in the moral well-being of society ;**
- e) preserve and strengthen the national independence and integrity of his country ;**
- f) contribute to the best of his ability, in all circumstances and at all levels to promote and achieve African Unity.**

Article 21 – Every child shall have duties towards his parents, his family, society, the State and any other legally recognised community as well as the international community. The child, depending on his age and his abilities, and subject to restrictions contained in this Code shall have the duty to :

- a) respect his parents, his superiors and the elderly in all circumstances and to assist them if necessary ;**
- b) respect national identity, languages and values ;**
- c) respect the environment and quality of life for all ;**
- d) respect the Constitution and laws of the Republic ;**
- e) respect the rights, reputation and honour of others ;**
- f) work for cohesion of his family and for the good of the national community by putting his physical and intellectual abilities at its disposal;**
- g) work for respect for human rights and child rights ;**
- h) work for maintaining public order, public health and morality ;**
- i) work to preserve and strengthen societal and national solidarity ;**
- j) work to preserve and strengthen national independence and the territorial integrity of the country ;**
- k) contribute to the best of his ability in all circumstances and at all levels towards the promotion accomplishment of African unity.**

c) Initiatives taken to promote values, traditions and positive cultural practices and discourage those that are incompatible with the rights, duties and obligations enshrined in the Children’s Charter.

The Constitution, in its preamble, proclaims its determination to defend the rights of women and children, as well as cultural and linguistic diversity of the national community and its commitment ... to promote peace ...”, “to peaceful settlement of disputes between States in respect of justice, equality, freedom and sovereignty of peoples ...”

In addition, it adds that “... the human person is sacred and inviolable”, “... Every individual shall have the right to life, freedom, security and integrity of his person”.

As concerns negative cultural practices : early marriage or marriage without consent, begging, and female genital mutilation :

Article 183 of penal code punishes incitement to child begging: “Any able and mature person found begging on the streets shall be punishable to fifteen days to six months imprisonment.

Disabled persons who during their stay in hospitals or charity homes are found begging in public places shall be punishable by the same penalties.

In all circumstances, incitement to begging shall be prohibited. Any person convicted of incitement to begging shall be liable for the above penalties in the first paragraph.

However, if the person incited to beg is a minor child, the offender shall be punishable by three months to one year imprisonment».

Genital mutilation has not been the subject of legislation. However, an extensive awareness programme has been initiated through the National Programme for the Fight against Female Circumcision (PNLE) for communities, political and religious leaders, genital mutilation practitioners, civil society, to stem the phenomenon.

As concerns marriage without consent, Article 10 paragraph 1 of the Code on Marriage and Guardianship stipulates that “the marriage is void if there is no consent”. As concerns early marriage, Article 4 of the Code stipulates that “no man before the full age of 18 or a woman before the full age of 15 can contract marriage. However, the Ministry of Justice may grant, through a non-appealable decision, exemption of age for good cause”.

Civil society organisations find these provisions damaging to the girl, since they violate the right to education of the girl child. Proposals to standardise the age for marriage for boys and girls are raised in the draft Code of Persons and the Family.

As concerns the disparity between girls and boys, a programme has been developed to boost the enrolment of girls in schools, but also to keep them there.

As concerns the lack or gross negligence in supervising minors, the Penal Code (Article 335 para 22) provides for contravention penalties in the following terms: “shall be punishable by a fine of 3000 to 18.000 Francs and optionally a 1 to 10 days imprisonment for the parents or guardians who are found guilty of gross deficiency and negligence in supervising minor children that are in their care”.

d) Existing or planned mechanisms at national and local levels to coordinate policies related to the child and to monitor the implementation of the provision of the Children’s Charter.

The Government of Mali issued Decree No. 00- 297/PM-RM of 23 June 2000 to create the National Committee for monitoring and evaluating the National Action Plan (NAP) for the monitoring, development, protection and participation of the Child. The Committee’s missions are to :

- Foster and coordinate monitoring the implementation of various interventions of the national action plan for children ;
- Develop monitoring and evaluation indicators for the national action plan for children ;

- Prepare periodic reports and prepare annual reviews and/or mid-term reports for international meetings ;
- Decide on new orientations or modifications made to the national action plan ;
- Participate in international meetings dealing with problems of the child ;
- Work to raise necessary resources to implement the National Action Plan ;
- Ensure that projects and programmes of ministries included in the NAP are executed.

The Minister of Women Empowerment, the Child and the Family is the chair of this Committee, while the technical secretariat is ensured by the National Department of Promotion of the Child and the Family (DNPEF). At regional and local level, structures made up of all actors have been established under the responsibility of the Ministry of Territorial Administration and Local Government (MATCL). The technical secretariat of these structures shall be ensured by decentralised services of the Ministry of Women Empowerment, the Child and the Family (MPFEF).

The Ministry of Women Empowerment, the Child and the Family was created on 16 September 1997 (Decree No. 97-282/P-RM). Its mission is to :

- Develop and implement measures that would ensure the well-being of women, the child and the family ;
- Develop and implement actions aimed at ensuring better economic, social and cultural standing for women and children by taking care of their specific needs ;
- Promote the rights of the woman and the child ;
- Promote the family.

In order to carry out these missions related to the child, a National Department for the Promotion of the Child and the Family was created and regional and sub-regional services for the promotion of the child and family. Its duties are to:

- Develop programmes and plans for the promotion of the child and the family ;
- Carry out research, studies and surveys on the legal, economic, social and cultural status of the child and the family ;
- Undertake actions aimed at promoting the child and the family ;
- Coordinate, monitor and control activities for the promotion of the child and the family carried out by government services and agencies.

The creation of central, regional and sub-regional services for the promotion of the child and the family makes it possible to have a better consideration of the specific needs of the child and the family at all levels, to bring the services closer to target groups and to coordinate the actions of development partners and civil society.

Mali has initiated a series of sectoral frameworks for development planning in view of ensuring that significant outputs are achieved. They include:

- Strategic framework for poverty alleviation, 1st generation (2002 – 2006, 2nd generation (2006-2011) ;
- Ten-year health and social development plan (PDDSS 1998 – 2007), (PRODESS I (1998 – 2002) and PRODESS II (2005- 2009) ;
- Ten-year education programme (PRODEC 1998-2007), PISE I (1998-2002) and PISE II (2006-2008) ;
- Ten-year justice programme (PRODEJ 2000 – 2010) ;
- Ten-year national programme against child labour ;

- Ten-year national programme against the worst forms of child labour ,
- Ten-year national programme against female circumcision, etc.

These programmes all have a monitoring and coordination mechanism.

The existence of these programmes that take into account the survival, development and legal framework aspects, have not favoured the formulation of a second NAP. The child protection aspect has been covered in the 2002-2006 strategic plan of the Ministry of Women Empowerment, the Child and the Family.

This strategic plan defines the framework for national policy on the promotion of the child. It focuses on :

- Improving on the conditions of survival of the child through the building of individual and collective capacities of parents to use essential health services for children ;
- Creating a legal and social environment that is conducive for child development ;
- Improving the knowledge and skills of communities and children on special prevention and protection ;
- Improving civic and citizenry education of young adults with a view to effective participation in national public life ;
- Carrying out studies and research ;
- Communicating and advocating for the promotion of the child.

In order to ensure that this document is implemented, two consultation forums have been constituted, namely the inter-ministerial committee and the Joint Ministry of Women Empowerment, the Child and the Family/NGOs Committee.

9. Furthermore, States are required to describe measures that have been taken or envisaged to :

a) Make known, both to adults and children the principles and provisions of the Children's Charter

Several actions have been undertaken to publicize the national and international legal instruments on the Rights of the Child adopted or ratified by Mali, especially many awareness actions. A first trainer's guide on the Rights of the Child had been developed in 1999 to launch the training courses throughout the country. Since the elaboration of this guide, while continuing its efforts to promote and protect the rights of the child, Mali has adopted new laws and provisions that have appeared to be indispensable to integrate in a new updated version and to prepare a specific guide on juvenile justice. The trainer's guide on the rights of the child and juvenile justice adopted in 2005 were born out of this need. In addition to these guides, other training manuals have been developed, particularly in the areas of civil status, female circumcision and child trafficking. These guides and manuals have the following purposes :

- Popularize the rights of the child ;
- Foster deep understanding of the principles and content of Conventions related to the rights of the child and opportunities for their implementation in national law ;
- Assist the trained to mainstream the Conventions in their professional activities and practices ;

- Improve on skills in order to transfer knowledge and provoke a possible change in behaviour.

In order to strengthen popularisation programmes, actions have been undertaken to translate into national languages not only the legal instruments, but the training manuals as well.

Core trainers have been put in place over the national territory. Their mission is to train, inform and sensitise the people on the rights of the child.

b) Ensure wide dissemination of their reports to the general public in their countries.

This report on the ACRWC was prepared using a participatory process involving all state structures and non-governmental organisations interested in childhood issues. As concerns its validation, it led to the holding of a national workshop. It will be disseminated to all actors through distribution of copies of the report and the organisation of regional restitution seminars.

Monitoring of the recommendations that will be formulated by the African Experts Committee on the Rights and Welfare of the Child will be provided by the National Monitoring and Evaluation of the NAP.

Despite the efforts made, difficulties are worth noting, inter alia, low level of literacy of the population, the weight of traditions and customs makes it difficult to appropriate policies, programmes laws.



DEFINITION OF THE CHILD

10. Party States are requested to provide information on the definition of the Child in the laws and regulations in accordance with the Article 2 of the Children's Charter.

✓ *Minimum legal age*

According to Article 2 of the Child Protection Code “a child shall be any person aged less than 18 years and who has not yet reached majority age by special provisions”.

In Mali, the majority age is not uniform. It varies between 18 and 21 years depending on the subject: criminal, civil, social or political.

The draft Code of Persons and the Family adopted by the Government in May 2002 has harmonised all the majorities (in civil and criminal matters) to 18 years. However, this draft Code has not yet been adopted by the National Assembly.

✓ *Education.*

Article 26 of Law No. 99-046 of 28 December 1999 on the Education Counselling Law stipulates that « the right to education created an obligation for parents to enrol their children in schools and to keep them there at least until the end of basic education ». Article 34 of the same law stipulates that « basic education is a unique block of 9 (nine) years ». it welcomes children from the age of six years.

The duration of the basic education cycle added to the school age gives a total of 15 years. This corresponds to standard set out by most international Conventions, especially the 138 Convention of the International Labour Organisation on the minimum working age.

✓ *Field of work*

Article 185 of the Labour Code prohibits “employing pregnant women and children in jobs that are beyond their strengths that present causes of danger or that, by their nature and by the conditions under which they are carried out, are likely to injure their morals”

Article 187 of the Labour Code, as well as its enabling decree (Decree No. 96-27/P-RM of 13 June 1996) provides details on jobs that are prohibited for children and the age limit below which they cannot be engaged.

The minimum age for engagement in a job is set at 14 years by the above-mention decree. However, the implementation of the instruments at this level seems to be very difficult considering the economic realities of the country. Mali, by ratifying the Convention 138 of the ILO on the minimum age for engagement in a job decided by raise this age to 15 years, which now requires harmonisation with Labour Code.

The Child Protection Code in its Article 34 stipulates that « any employee of less than 18 years shall have equal right to be a member of a trade union or a trade or professional association or to register to freely exercise an autonomous profession, without any

discrimination based on race, place of origin, colour, social status, citizenship, belief, sex, age, marital status, family status or a disability »

✓ *Marriage*

Under Article 10 of the Marriage and Guardianship Code : “marriage without consent shall be null and void” thus prohibiting any forced marriages. Articles 15 of the Marriage Code and 133 of the Law governing the civil status penalises an officer who celebrates a marriage without ensuring consent of the spouses by imprisonment of six months to one year and/or a fine of 25,000 to 120,000 CFA Francs. On the civilian side, Article 26 of the Marriage and Guardianship Code provides that any marriage celebrated without the consent of both spouses or one of them shall be liable to be attacked as being null and void by any of them whose consent was not freely given.

"A son who has not attained the age of 21 and a daughter who has not attained the age of 18 cannot marry without the consent of their parents ... (Article 11 of the Marriage and Guardianship Code).

✓ *The area of damage to morals and physical integrity*

The Penal Code protects the sexual integrity of children under the age of 15 by sanctioning any sexual relation or any act of sexual character directed at them even with consent.

"Any indecent assault, consummated or attempted without violence, against a child of either sex, aged less than 15 years, will be punishable by five to ten years of imprisonment optional one to twenty years exile ... (Article 225 of the Penal Code).

"An individual who has made or attempted to perform a sexual act customarily allowed on a girl of less than 15 years old shall be punished by a 5 year imprisonment sentence ... (Article 227) of the Penal Code).

✓ *The area of recruitment into the army or involvement in armed conflicts*

In the status of the army, the minimum age required to be engaged in the army is eighteen years, and that required for call-up is also 18 years (National Youth Service). It is prohibited under the provisions of Article 17 of the Child Protection Code, to have children participate or involved in armed conflicts, or to be enlisted in the armed forces and armed groups before the age of 18 years.

The Optional Protocol of the CRC on the involvement of children in armed conflicts, ratified by Mali in 2002, abounds in this direction.

✓ *The area of Justice*

Law No. 01-081 of 24 August 2001 on the age of criminal responsibility and the establishment of juvenile courts and the penal code provide respectively in their Article 1 and 26 that "the age of criminal responsibility shall be 18 years".

A 13 year old child is considered completely irresponsible. From 13 to 18 years, his criminal responsibility cannot be accepted until a judge decides that he acted with

discernment. Even in this case, responsibility is regulated in a specific manner. Legal action is directed more towards protecting than enforcement.

Under the provisions of Child Protection Code, as soon as a minor is apprehended, he has to be promptly informed and in detail about the facts that he is being accused of, of his right to assistance from a counsel and his right to have a parent or guardian present.

The judicial police officer shall inform the parents, guardian of the minor immediately or if this is not possible in the shortest possible time following the offence.

Children under the age of 15 years may not be remanded in custody. Children aged 15 years old and more, against whom have been gathered serious evidence of conviction of a felony or of a crime, can be held at the disposal of the Judicial Police Officer, only with the prior approval of the state prosecutor or juvenile judge.

The detention shall not exceed twenty hours, except extended with the authorisation of the state prosecutor that does not exceed ten hours.

Minors shall be separated from adults during custody.

A minor of more than 13 years old may only be detained in a prison if this measure is essential or if it is impossible to make any other provision. In this case, it is held in a special section for a period not exceeding 3 months if the prosecution concerns an offence and 1 year if the prosecution concerns a crime. He should be separated from other inmates during the night.

The minor shall have the right to health care and assistance from social services, educational services and adequate protection.

In no case should a minor be sentenced to death or life imprisonment. If he deserves the death penalty or life imprisonment, he could be sentenced to ten to twenty years of imprisonment.

The Child Protection Code allows the child to testify in court and give opinions on matters that manage or interest him directly.

✓ *The area of adoption*

International adoption is governed by provision of the Hayes Convention ratified by Mali in 2001. Through the services of the central authority, children adopted shall have access to information concerning them.

Domestically, the provisions of the Parenthood, Marriage and Guardianship Code allow the child, subject of adoption, to maintain ties with his biological family.

✓ *The area of heritage*

As concerns legal capacity of children to inheritance, the only conditions required are that the child has to be alive at the opening of the succession and should not be affected with indignity.

✓ *Area of real estate transactions*

As concerns real estate transactions, the Child Protection Code in its Article 29 stipulates that “every child shall having legal capacity shall have the right to conclude contracts on equal terms without discrimination based on age ...”.

✓ *Area of freedom of association and worship*

Law No. 04-038 of 5 August 2004 on associations (other than trade companies, mutual assistance societies, cultural association and congregations) does not put any restrictions on the ability of children to create associations or become members.

Article 25 of the Constitution states that “Mali is a republic ... secular and social” this implies that freedom of worship for all citizens.

✓ *Area of alcohol consumption.*

Within the framework of regulations on policing taverns, the Law of 1 October 1917 on sanctioning public drunkenness and on the policing of taverns (still applicable in Mali), prohibits any café, cabaret and other drink tenant, subject to criminal sanctions (fines and / or imprisonment for repeated offence):

- Receiving in their businesses or serve spirits and liquor to minors aged less than 18 years ;
- Selling and even off-licence spirits and alcoholic liquors to minors aged less than 18 years ;
- Employing girls/women of less than 18 years in taverns, except for those belonging to the family of the tenant.

✓ *Areas of spectacles*

There is a Films Control Commission that can propose either the issuance of an approval, accompanied or not by cuts or changes, or outright refusal of the approval, or prohibition for children below 16 years. In the latter case, mention of this prohibition has to be posted at the entrance of the hall and on all adverts concerning the film.

IV

GENERAL PRINCIPLES

11. Relevant information, especially the main legislative, judicial, administrative and other measures in force or envisaged ; the factors and difficulties encountered and progress made in the implementation of the Children’s Charter, and priorities in the implementation and specific objectives for the future, have to be provided with regard to :

a) Non - discrimination

The Constitution of the Republic of Mali, in its Article 2 stipulates that “all Malians are born and remain free and equal in terms of rights and duties. Any discrimination based on social origin, colour, language, race, sex, religion and political opinion shall be prohibited”.

In addition, the Child Protection Code clearly raises the principle of non-discrimination in Articles 23 to 36 among others, in terms of access to services, occupation and benefiting housing without being harassed, legal capacity in terms on housing contract, equality of treatment, employment, and membership in a trade union or a trade association.

Any direct or indirect attempt on a recognised right by the CRC shall engage the civil responsibility of authors without prejudice to any criminal prosecution.

Any act likely to incite the infringement of a right recognised by the CPC shall be liable for a fine of 30,000 to 300,000 CFA Francs and in case of repeat of the infringement, for an imprisonment of two to six months.

The process of administrative decentralisation has as main objectives in Mali a significant reduction of poverty and an improvement in the living conditions of the life of women and children through better management of resources, given that they are administered by elected bodies and through selective efforts of investment of the central government for the benefits of the poorest councils. This process really took a higher momentum from 1996, raising the number of councils from 19 to 703, of which 684 rural councils and 19 urban councils.

This has allowed greater access of the population to basic social needs (civil status registration centres, community health centres, schools, etc.).

After two years of CSLP implementation, progress has been made even if some inadequacies persist. In terms of registered improvements, it can be noted; amongst others that there has been a net favourable evolution in budgetary allocations destined for the education and health sectors.

In fact, the share of the budget allocated for the fight against poverty increased from 59.13% in 2003 to 60.39 % in 2005. As concerns basic education, it increased from 10 % in 2001 to 16 % in 2006. As concerns health, its share in the overall budget expenditure increased from 8.9% in 2001 to 10.4% in 2006. However, the general observation made on the foregoing points is that there are no detailed data on budgetary allocations and trends (in figures and absolute percentage in the national budget in relation to women and children).

Equal opportunity between girls and boys is enshrined in the Constitution of Mali in its Article 18. The Ministry of National Education (MEN) has a section for “girls’ schooling” whose objective is to increase the number of girls in educational institutions.

Schooling projects for girls have also been executed in three regions of the country with the lowest schooling rate and showing the most significant disparities between girls and boys.

TABLE 2 : EVOLUTION OF ENROLMENTS AND GROSS RATIO OF SCOOING IN THE 1ST CYCLE

School	Enrolment in the first cycle	Gross schooling ratio
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year	G	F	T	G	F	Total
1999/00	593476	422003	1015479	72.0%	50.0%	60.9%
2000/01	657188	469176	1126364	72.5%	50.0%	61.0%
2001/02	699474	512515	1211989	75.3%	53.7%	64.3%
2002/03	742087	552585	1294672	77.9%	56.4%	67.0%
2003/04	794535	602256	1396791	81.3%	59.9%	70.5%
2004/05	852163	653740	1505903	85.0%	63.04%	74%
2005/06	901386	708593	1609979	85.1	65.1	75.0

Source : Données C P S – MEN du 06/01

There was a 20 points difference between girls and boys in 2005/2006 in terms of the schooling ratio.

TABLE 3 : EVOLUTION ENROLMENTS AND THE GROSS SCHOOLING RATIO (WITH MEDERSA) IN THE SECOND CYCLE OF BASIC EDUCATION

School year	Enrolment in the second cycle			Gross enrolment ratio in the second cycle		
	Boys	Girls	Total	Boys	Girls	Total
1999/00	100150	58330	158480	28.3%	16.1%	22.2%
2000/01	115859	67125	182984	31.2%	17.6%	24.3%
2001/02	135989	77631	213620	35.7%	19.9%	27.7%
2002/03	150448	86850	237298	38.4%	21.6%	29.9%
2003/04	175134	104690	279824	43.7%	25.4%	34.4%
2004/05	196526	120483	317009	47.7%	28.50%	38%
2005/06	218717	134029	352746	52.1	31.1	41.5%

Source: CPS – MEN Data of 06/01/2005

The gap here is 21 points between girls and boys, in 2005/2006 in terms of gross schooling ratio.

TABLE 4 : GROSS RATIO AND NET RATIO OF SCHOOLING IN THE FIRST CYCLE 2005-2006

Gross schooling ratio first cycle			Net schooling ratio first cycle		
Boys	Girls	Total	Boys	Girls	Total
85.1	65.1	75.0	64.1	49.3	56.6

TABLE 5 : GROSS RATION AND NET RATIO OF SCHOOLING IN THE SECOND CYCLE 2005-2006

Gross schooling ratio in the second cycle			Net schooling rate in the second cycle		
Boys	Girls	Total	Boys	Girls	Total
52.1	31.1	41.5	29.6	17.5	23.5

TABLE 6 : EVOLUTION OF ENROLMENT, GROSS SCHOOLING RATIO IN GENERAL SECONDARY EDUCATION

School year	General secondary education enrolment			Population 16 – 18 year			Gross schooling ratio in general secondary education		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1999/00	36230	16357	52587	328624	337324	665948	11.00%	4.80%	7.90%
2000/01	44186	20552	64738	337146	346031	683177	13.10%	5.90%	9.50%
2001/02	50256	16523	66779	345998	355076	701074	14.50%	4.70%	9.50%
2002/03	55476	18943	74419	355200	364478	719679	15.60%	5.20%	10.30%

Source : CPS- MEN

Table 6 gives a gap of 10.40 between girls and boys in 2002-2003.

TABLE 7: EVOLUTION OF ENROLMENTS, GROSS SCHOOLING RATIO IN TECHNICAL AND VOCATION SECONDARY EDUCATION

School year	Enrolment secondary technical education			Population 16 – 19 years			Gross schooling rate		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1999/00	19694	11858	31552	396186	406501	802686	5.00%	2.90%	3.90%
2000/01	20456	12828	33284	406525	417061	823585	5.00%	3.10%	4.00%
2001/02	22410	14894	37304	417268	428033	845301	5.40%	3.50%	4.40%
2002/03	23217	16537	39754	428438	439441	867879	5.40%	3.80%	4.60%

Source : CPS Education February 2005

According to data of the table, there is a gap of 1.6 between girls and boys for the 2002/2003 school year. In brief, there are wide disparities between girls and boys from the primary to the secondary. This gap continues to widen in higher education.

In spite of the legislative and regulatory provisions, discrimination exists for categories of children (low schooling ratio for girls, low access for disabled children to education, lower access to essential social services for the poorest children, children from rural areas, etc.). in spite of the selective character of provisions on decentralisation within the framework of the fight against disparities, the destination of funds does not usually meet the magnitude of poverty of councils.

Through the execution of the PRODEC, especially the second phase of the Education Sectoral Investment Programme (PISE II), the Department of Education intends in 2007 carry out a number of action including :

- Continuation of the plan for strengthening catering structures through the construction of 2,350 classrooms, continuation of monthly funding for textbooks and didactic material ;
- Improvement of the coverage of schools in underprivileged areas with school canteens and continuation of the funding of 466 school canteens in partnership with the WFP ;
- Adoption and implementation of the policy of accelerating schooling for girls ;
- Training of 5,100 teachers on curricula, recruitment of 2 000 teachers ;
- Opening of 104 new positions for recruitment in training institutions.

The priority avenues of the Department of Health will focus on the following areas :

- Strengthening prevention activities in the fight against HIV by multiplying CDS ;
- Availability of essential medication (including ARVs), vaccines and medical consumables ;
- Intensification of the fight against malaria by making available “free” anti-malaria drugs, etc. ;
- Free distribution of CTA (combination therapy with artemisinin base) to all children under the age of five in all public and community structures ;
- Free distribution of SP (Sulfadoxine Pyrimethamine) to all pregnant women during prenatal consultations in all public and community structures.

b) The best interest of the child

Several texts lay emphasis on safeguarding the best interest of the child, including:

- **Article 3** of the CPC stipulates that: «The best interest of the child should be paramount in all actions taken against him by courts, administrative authorities, and public and private social protection institutions.

Besides the emotional and physical needs of the child, the following should be taken into consideration: his age, his state of health, his family environment and various aspects of his situation.

- **Article 7** of the CPC provides that “any decision taken must strive to maintain the child’s family environment and avoid separating him from his parents, unless it appears to the court that such separation is necessary to safeguard the best interest of the child. That decision must guarantee to the child the right to continue to benefit from various living conditions and services adapted to his needs, his age and compatibility with his normal family environment”.

- **Articles 12, 86, 87 and 91** of the Marriage and Guardianship Code (CMT) provides for the protection and safeguard of the best interest of the child under all circumstances:

o **Article 12:** “when there is dissention between parents divorced or separated, the administrative authority shall decide taking into consideration the best interest of the child”.

o **Article 86 :** “children shall be entrusted spouse who shall obtain a divorce unless the court or the public prosecutor and in view of information collected in application with Article 65 below, orders for the greatest benefit of the children, that all or some of them will be in the care of the other spouse or a third person”

- Penal Codes and the Criminal Procedure Code as well as the Law on criminal minority and the establishment of juvenile courts shall pay special attention to the best interest of the child.

Training have been organised since 1999, by the Ministry of Women Empowerment, the Child and the Family, the Ministry of Justice and the coalition of NGOs COMADE for filed actors, using trainers’ guides on the CRC, CPC, child labour and on the administration of juvenile justice..

Although the texts provide for safeguarding the best interest of the child, difficulties remain concerning their application:

- Under the criteria of awarding public housing, the number of minor children under charge is taken into account, but the needs remain enormous in this domain ;

- Difficulties to transport children partly explains the high number of school drop-outs and failures ;

- Beneficiaries of family allowances are limited to a restricted number of the population.

Actions in terms of health, education, lay emphasis on safeguarding as a matter of priority the best interest of the child (for example, the Extended Immunization Programme, Development of social-health services, as well as services for infant and maternal protection and foster care).

However, access to these services remains inadequate, especially for the poorest and the rural areas.

In spite of the measures taken to protect the child, some traditional concepts make the practice of female circumcision and other practices that are harmful to health to persist; the economic exploitation of children as well as the phenomenon of child beggars and street children are on the rise.

Furthermore, the gap is widening between boys and girls in the area of education and the maternal and infant mortality rate are still very high.

According to Article 67 of the CPC “The delegate of child protection’s mission is to intervene in all cases where it seems that the child or its physical or mental integrity is threatened or exposed to a danger due to the environment in which he lives or activities, and acts that he performs, or because of various abuses suffered especially in difficult situations provided in Article 50 of this code”.

Article 174 of the CPC “the monitoring of children placed under the supervision provision shall be ensured by the permanent remunerated delegates, and by volunteer delegates to probation”.

The mission of permanent delegates is to supervise and coordinate, under the authority of the juvenile judge, the actions of volunteer delegates. They also exercise monitoring of children whose charge they have been entrusted. Permanent delegates are appointed from amongst volunteer delegates by the Minister of Justice upon the advice of the juvenile judge. Volunteer delegates are chosen amongst from amongst the adults of either sex. They are appointed by the juvenile judge. In each case, the volunteer delegate is designated either immediately by the judgement, either interiorly by ordinance of the juvenile judge”

C. Right to life, survival and development (Article 6)

The Constitution of Mali stipulates in its Article 1 the right to life and survival: “the human person is sacred and inviolable”. Everyone has the right to life, freedom, security and personal integrity”.

Article 169 of the CPC prohibits the imposition of a death penalty against children. Several national texts expound and protect this right in detailed manner. Thus, the penal code protects the child against any act directed against his life or survival. The following offences are severely punished: infanticide, child abandonment, suspension or healthy care for a child. The law-maker even ensures the protection of the child from conception by penalising abortion.

One of the main objectives of the Child Protection Code is to prepare “a free and responsible life in a civil society of solidarity, based on the indissolubility of the conscience of the rights and duties, in which the values of equity, tolerance, participation, justice and peace prevail”

Measures are envisioned within the framework of the PRODESS to reduce juvenile infant mortality. The Strategy of Accelerating the Survival and Development of the young child (SASDE) started in 2002 in 6 (six) circles and the assessment made in 2003 showed the possibility of significantly improving basic health care coverage for children through cheap actions involving households. The SASDE presently covers 32 circles out of 49.

At legislative and regulatory level, it should be noted that:

- Law No. 06-028 of 29 June 2006 to lay down rules on the prevention, care and control of HIV/SIDA ;

- Decree No. 05- 546 P-RM of 20 December 2005 on the counselling and voluntary, anonymous and free testing the HIV infection.

The implementation in the 1990s of decentralisation and the sectoral health policy has resolved some difficulties by bringing closer civil status registration centres to the population. The registration of deaths arisen from in health centres is done regularly.

However, the rate of death registration at the civil status registry stands at only 4% (Source : Direction Nationale de l'Intérieur - 2004).

D - E). Respect for the opinions of child, informing children and encouraging their participation.

The exclusion of the child in the quest of solutions to problems concerning him under the weight of the influence of tradition, lack of knowledge of the benefits related to this right and the weakness of a law that promotes the expression of the child. The true participation of children in their education and in decisions taken by their family and their community is hardly valued in Mali. Girls in particular are very often denied the right to education and are not consulted for marriage.

Article 4 of the Constitution of Mali stipulates that “everyone has the right to freedom of thought, conscience, religion, worship, opinion, expression and creation in accordance with the law”. Traditional associations of children based on « peer groups » have always played an important role in the social life of village communities that encourage their collective actions. New forms of support to organised meetings of youths increasingly convey traditional associations of children weakened by cultural changes that are going on.

In a bid to make the participation of children in public life more effective, A Parliament of Malian Children was instituted by Decree No. 96-172/PM-RM of 13 June 1996. The Children’s Parliament is forum of expression that enables them participate in public life. It also has delegation regionally and locally.

The Children’s Parliament represents at the same time:

- A consultation forum between its members and other citizens of country ;
- A forum for expression by children ;
- A forum for consultation and advocacy in the area of protection, survival, development and participation of children ;
- A medium of information and awareness of the population on the implementation of the CRC.

At the end of each biannual session, the Parliament addresses to authorities, its advocacy on issues relating to the situation of the child in Mali and on the actions that it expects from the Government.

The Children’s Parliament should be better known by the population and have more ways to ensure its independence, carry out its actions and maintain its democratic character.

The strategy of the School Friends of children – friends of girls contributes in the Millennium Development Goals for quality education for all. Based on the rights of the child, the School of Friends of Children takes shape from two tools: the School Project and the Government of Children.

The School Project is an action plan drawn up following the participatory approach by all actors and partners of the school. It is formalised by a performance contract that recapitulates the commitments taken by each actor and partner

As concerns the Children's Government, it is a pedagogical tool for the participation of children that enables them to take ownership and responsibility of certain decisions about their education and the living conditions in their school.

The School Friends of Children – Friends of Girls is now developed in 1,186 basic schools of the Kayes, Ségou , Mopti and Bamako Distric regions, out of a total of 8 5000 basic schools of the 1st and 2nd cycle in the whole of Mali (government, private, community and mederas). Its generalisation to all basic education institutions should be done gradually as from 2007.

13. In this part, it requested that State parties provide relevant information, especially on legislative, judicial, administrative and other measures in force, on the factors and difficulties encountered and progress made in the implementation of the Children's Charter, implementation priorities and specific objectives for the future, as concerns :

a) The name, nationality, identity and registration at birth (Article 6)

Under Malian legislative framework, several codes and laws provide for a set of provisions on the civil status of the child. This includes especially :

- Law No. 62-18/AN-RM of 3 February 1962 on the Malian Nationality Code ;
- Law No. 62-17/AN-RM of 3 February 1962 on the Marriage and Guardianship Code ;
- Law No. 06-024 of 28 June 2006 governing civil status in Mali ;
- Ordinance No. 02-062/P-RM of 5 June 2002 on the Child Protection Code ;
- Law No. 01-081 of 24 August 2001 on juvenile criminality and juvenile courts.

Nationality is governed by Law No. 62-18 AN-RM of 3 February 1962 on the Nationality Code. The Code is particularly open to handle the situation of any child in Mali. It provides flexibility in the acquisition of the nationality which allows for Malian citizenship to be conferred on any child living in the national territory and thus avoid cases of statelessness.

All these texts contain provisions that guarantee the child a name and nationality. Thus, every birth must be declared irrespective of the place of birth. This declaration has to be made within thirty days.

Article 4 CPC – Every child shall have the right to an identity from birth and registration at birth. The identity shall consist of the first name, the family name, the date of birth and nationality.

"Any birth of child born alive in the territory of the Republic of Mali shall be declared to the civil status registry of the place, even when the foreign parents of the child would have declared it to the consular authorities of their country".

"Any birth that occurs during travelling by road, rail or air shall be declared at the civil status registry of the next stop "(Article 75 of the Law governing Civil Status Registration).

The national study on the registration of children at birth in Mali undertaken in 2004, has revealed that only one child out of two is registered at birth mainly because of the shortcomings of the civil status registration service itself in terms of lack of staff and declaration centres, but also in terms of the non-application of legal procedures and gratuity of the certificate. The national study was also an opportunity to extract new data from the EDS III, confirming that low rate of registration of births in 2001, 48%, as well as the low disparity between boys (50%) and girls (46%). On the contrary, three forms of

discrimination are highlighted: between rural (41%) and urban (71), the poorest households (33%) and the richest households (80%) and children of uneducated mothers (46%) compared to children of educated mothers (90%).

The decentralisation policy (with the creation of 703 municipalities) and the construction of several CSCOMs have facilitated access of the rural population to medical assistance during childbirth and therefore registration of births.

The acquired name is inalienable, outside the legal trade. The name change can only be done through legal procedures and those that protect the identity (Law No. 089-06-YEAR-RM January 18 1989 on the change of family name)

Actions are taken to address the situation: training of civil status, community awareness, revision of the Status Act, projects to support birth registration in order to correct deficiencies, developing a training of trainers' guide on registration at birth.

An action plan for 2004-2008 to improve the registration of civil status acts (Plan of the Support Mission for the Consolidation of the Civil Status - MACEC) is underway.

During the celebration of the Day of the African Child (2003 Edition), the central theme focused on the right to be registered at birth. To this end, many awareness activities were carried out: round tables, conference discussions, micro-programmes, songs, skits and folk events.

Moreover, civil status officials have been trained to facilitate the registration of children at birth at the community level.

However, the problem remains because the national study, conducted in 2004, identified the remoteness of registration centres and the lack of knowledge of procedures by registration agents as the main obstacles to the registration of children at birth.

Efforts will have to be made to overcome barriers that hinder the use of birth registration services. These obstacles are :

- Illiteracy ;
- Ignorance by the people of the benefits and procedures ;
- Speculation on the costs of declaring births and birth certificates ;
- The weight of tradition ;
- Discriminatory practices against women who want to declare ;
- Poor reception in health centres.

The measures taken to correct shortcomings in the registration of children at birth as part of the implementation of the decentralization policy will strengthen compliance with the child's right to acquire nationality.

b) Freedom of expression

The effective exercise of this right is recognized by Article 4 of the Constitution and Article 9 of the CPC.

Article 9 of the CPE stipulates that "Every child has the right to freely express his

opinions that have to be taken into account in accordance with his age and maturity. To this end, the child will be given a special opportunity to express views and be heard in all judicial procedures and measures concerning his social and educational situation."

Forums for of expression for children and adolescents exist through the Children's Parliament and governments of children in schools, as well as cultural houses and radio and TV programs for and by children.

For the first time in government nomenclature, the mission on information and communication technology has been entrusted to a department, namely the Ministry of Communication and news.

Access to Information and Communication Technologies (ICT) is growing strongly, through various information channels (connecting schools to the Internet, training and introduction to computers for the Children and youth exchange meetings between young people in the field of ICT, etc.) and exemption from customs duties on imported equipment.

However, it is clear that freedom of expression for children is limited by the family and social context.

C. Freedom of thought, conscience and religion (Article 9)

The Constitution in Article 4 formally recognizes these rights: "Everyone shall have the right to freedom of thought, conscience, religion, worship, opinion, expression and creation in accordance with the law."

Despite this provision of the Constitution, traditionally parents closely supervise children on the exercise of these freedoms, without leaving much room for manoeuvre.

d). Freedom of association and peaceful meeting (Article 8)

Article 5 of the Constitution stipulates that: "The State shall recognize and guarantee under the conditions laid down by law, the freedom of movement, free choice of residence, freedom of association, of meeting, of procession and of demonstration".

Traditional associations of children based on "age groups" and "peers" have always played an important role in the social life of village communities that encourage their collective actions. The pioneer movement and new forms of associations, such as the Children's Parliament and its regional and local delegations and children's governments in some schools, children's clubs in urban centres are being developed.

Traditional associations per "age groups and peers" are in the process of collapse because of socio-cultural changes without new forms of bringing together children and young people that are sufficiently structured to ensure the relay.

e). Protection of privacy (Article 8)

According to Article 6 of the Constitution, "The home, the private and family property, secrecy of correspondence and communications are inviolable. There can only be a violation under in the conditions provided by law."

Malian law sets limits on the exercise of these rights by allowing parents to exercise their parental duty to monitor and control relationships and correspondences of the child. The courts also have the discretion to order that steps be taken to safeguard the best interests of the child.

In this regard, Article 5 of the Children Protection Code stipulates that "every child shall have the right to privacy without prejudice to the rights and responsibilities that they hold, under the law, parents or those in charge."

The CPC also protects the child in its Article 20 "against any publication and dissemination of his image that does not respect his integrity, honour and privacy."

Regarding children in conflict with the law, under Article 11 of the CPC, "Every child offender shall have the right to be given a treatment that protects his honour and person." Also, paragraph 4 of Article 38 of the CPC gives details about the type of applicable penalties (to any act likely incite the infringement of a right recognized by this code).

As part of the implementation of judicial proceedings against a minor, Article 115 of the Code stipulates that: "No information that may lead to the identification of a minor should be published".

According to Article 116 of the CPE, decisions concerning minors of 13 years shall not be included in the judicial records.

According to Article 120 of the CPC, "the publication of the minutes of a preliminary investigation, the record of proceedings, judgments for children in books, newspapers, radio, film, television or in any way whatsoever shall be prohibited. The publication through the same processes of any text or illustrations regarding the identity and personality of minors shall also be prohibited. Violations of these provisions shall be punishable by a fine of 30,000 to 300,000 Francs and, in case of repeat of imprisonment of two months to two years. "

Given the socio-cultural context of Mali, the privacy of children is often not understood by parents.

f). The protection of children against abuse and ill-treatment

The Constitution provides in Article 3 that: "No one shall be subjected to torture or inhuman, degrading, humiliating or ill-treatment. Any individual or official who is found guilty of such acts, either on his own initiative or on orders shall be punished according to law."

There are other texts that protect children against these acts. The perpetrators of these violations are prosecuted and parents incur liability for failure or serious negligence in the supervision of minor children.

- Circular Letter No. 0019 / MSSPA / SG of 7 January 1999 to prohibit female circumcision in health centres.

- Orders No. 94 4856/MEB CAB of 8 April 1994, No. 94 4999/MEB No CAB and No. 94 5000/MEB CAB of 15 April 1994 of the Ministry of Basic Education respectively lay

down the rules and regulations on primary schools, special educational institutions and nursery schools banning corporal punishment. These orders stipulate that insults, theft, stokes and violent games are banned in schools. They also prohibit the carrying of pointed, sharp objects, or objects deemed harmful.

- Provisions of the Penal Code protect children: Article 209 on torture, Article 210 on accidental injury, Article 213 on the test treatments and other practices harmful to health, Articles 219, 220 and 221 relating to the abandonment of the disabled and non - assistance to a person in danger, Article 226 on rape, Article 227 on coitus customary law, Article 244 that makes child trafficking a crime.

In order to intervene in all cases where it seems that the child's health or his physical or moral integrity is threatened or exposed to a danger as a result of the environment in which he lives or activities, acts that he performs, or because of various ill-treatment suffered, the CPC instituted in Article 66 the Delegate of child protection attached to the Governor of each region and the District of Bamako. In Article its 173, it institutes probation which is to submit the minor to control and effective supervision of a specialist, of the probation delegate, committed by the juvenile court. These two types of delegates have not yet been effectively appointed.

Regardless of judicial control, independent control is exercised by :

- Civil society organizations (e.g. legal clinics, Amnesty International, COMADE, CONAFE, the AMDH ...) and the Children's Parliament calls on the authorities on cases of observed abuse ;
- Independent media through newspaper articles, local radio stations ;
- Individuals who perform the duty of reporting in accordance with CPC.

In Mali there is a Democratic call space every 10 December, allowing citizens to draw the attention of the authorities.

Raising awareness in this field is done through training of actors (teachers, security guards, social workers, judges, etc), in terms of children's rights and through communication on the abandonment of circumcision.

There is no system of proper care for children victims of torture or ill treatment in their family or elsewhere. Few cases are reported, they are most often resolved through mediation and the perpetrators are rarely prosecuted.

VI

VI FAMILY ENVIRONMENT AND ALTERNATIVE CARE

14. In this part, State parties are called upon to provide relevant information including the principal legislative, judicial, administrative and other measures in force, and in particular to show how the principles of the best interests of the child "and "Respect for the views of the child" are reflected; factors and difficulties encountered and progress made in implementing the relevant provisions of the Children's Charter and priorities in the implementation as well as the objectives for the future with regard :

a) Parental guidance (Article 20)

The Malian traditional family has been shaken by colonization that brought other forms of organization and social hierarchy. It is even more so today with the context of globalization. However, the family in Mali retains most of its structure and functioning that make the head of the family and elders dominant figures.

Whatever be the ethnic and social background, the family is defined in Mali as a group of individuals who are recognized as descendants of a common ancestor. It may include several dozen people living together in the same compound.

In its modern meaning, in Mali, the concept of family refers to as "household" which refers to a group of people living in the same housing unit and sharing their resources and costs as a group and acknowledging under the authority of household or family heads.

Relationship results from blood, marriage or adoption. According to Article 16 of the Code of parenthood, "the number of people united by kinship defined in Article 1 forms the social family in which there is the conjugal family composed of a father, a mother and their children".

The family authority is characterized by its unity, mutual respect and solidarity among its members. Parents direct the education of children throughout the period of the childhood. They decide on the conditions of their education and training, sometimes of their career. On the person of the child, the father has a parental right of custody, management, supervision.

Whatever the traditional or modern family, it is the first level of education and socialization of children. It provides protection and security from birth. This is the first area of the rights of the child.

Outside the family, the socialization of children is supported by the whole community.

The family, social fact necessary, is also a legal fact, even if the family is very much in the "no right" to raise more manners and habits.

The legal family induces the existence of a family law defined by :

- Law No. 62-17 AN / RM 3 February 1962 Law on Marriage and Guardianship, as amended by Law of 25 January 1963 and supplemented by Ordinance No. 26 of 10 March 1975 ;
- Ordinance No. 36 CMLN of 31 July 1973 Code of parenthood and the Law 89-06 of 18 January 1989 on the change of surname ;
- Law No. 06 - 24 of 28 June 2006 governing civil status ;
- Law No. 62-18 of 3 February 1962 Code of Malian nationality amended by Law No. 95-70 of 25 August 1995;
- Ordinance No. 02-062/P-RM of 5 June 2002 Code of Child Protection ;
- Law No. 99-041 of 12 August 1999 Code of Social Security ;
- Ordinance No. 79-7 of 18 May 1979 fixing the pension scheme for civil servants and assimilated.

The process begun in 1996 to reform family law is underway.

The supervision of children by the family encounters difficulties related to endogenous factors (poverty, illiteracy, unplanned urbanization, sociocultural, discrimination against women, lack of parents in their homes, etc..) And exogenous (globalization , Adverse effects of media, etc..), With weakening of family ties and lack of appropriate guidance for children.

The Government of Mali initiated a series of political and legal reforms to promote the family, the main ones are :

- The National Policy Statement welfare (April 2002) ;
- Strategic Plan for Women, Children and Family (May 2002) ;
- The Draft Code of Personal and Family (May 2002) ;
- The Code of Child Protection (June 2002) ;
- The National Policy Statement for the fight against HIV / AIDS (April 2003).

The mechanisms existing social and political and legal reforms mentioned above allow parents and where appropriate extended family, guardians or other persons legally responsible for the child, to ensure, with the assistance of the State, The harmonious development of his personality. These mechanisms are designed for the child to be raised according to the values of peace, dignity, tolerance, freedom, equality and solidarity.

Several programs, projects and actions are underway to increase awareness, education, training and other assistance to parents. Examples include:

- The project on education on family life and the population ;
- The project on family planning (AMPPF) ;
- Awareness campaigns on the ENP and reproductive health Action Plan;
- The project on registration at birth ;
- The action plan of MACEC ;
- Guidance, supervision and training of associations and NGOs working in the area of childhood ;
- The National Solidarity Fund and its schooling program for children of indigent parents ;

- The Solidarity Month and the fight against exclusion and its school kits programme ;
- The State subsidy to associations and NGOs operating in the area of social development ;
- Social assistance to parents and children in difficult circumstances.

The following table shows the situation of the subsidies associations, NGOs and technical services operating in the area of social development in 2006.

TABLE 8: SUBSIDIERS TO ASSOCIATIONS, NGOs AND TECHNICAL EVALUATING SERVICES IN THE AREA OF SOCIAL DEVELOPMENT IN 2006¹.

	Amount (CFA F)	Beneficiaries
DRDSES	40 500 000	Children and adults
Special social services	14 500 000	Children and adults
Special educational institutions	8 500 000	Children
Associations and NGOs	50 750 000	Children
Equipment	13 000 000	Children and adults
Social integration through AGR	25 000 000	Children and adults
Medication	18 500 000	Children and adults
Other humanitarian actions	49 250 000	Children and adults
Total	220 000 000	

Parental education must continue, including through the implementation of innovative strategies that take into account the positive factors of culture and mechanisms of family and community guidance.

Given the vastness of the country and the high rate of illiteracy among the population, the law remains unknown, although efforts have been made to produce and disseminate more than 4,000 copies of the CPC.

In order to furthermore of the CPC, other texts on the Rights of the Child have been translated into six (6) national languages (Bamanakan, Peul, Songhoï, Dogon, Tamasheck and Senufo) and to train social workers on its enforcement, Municipal officials, magistrates, judicial police officers, artists and media personnel. A production of 10,000 copies is envisaged.

b) Parental responsibilities (Article 20. 1)

In traditional society, the exercise of parental authority known as "paternal power") rest on the entire community which has control over the formation of the personality of the child. Every adult is responsible for the education of children regardless of the degree of kinship between them.

Under Article 82 of the Parenthood Code, "paternal power" is all the rights and duties of fathers and mothers to the person and property to their minors children." Article 33 of the Law on Marriage and Guardianship provides that spouses, by the mere fact of marriage, "have the obligation to provide moral and material direction of the family, feed, maintain and raise their children and prepare setting down of the latter."

¹ Source : Rapport DNDS 2006

Paternal power thus gives parents the right to control the upbringing of the child, monitor his relations and correspondence, and place him in an appropriate institution when he becomes difficult (section 84 of the Parenthood Code).

In the draft Code of Persons and the Family, the term "paternal power" is replaced by parental responsibility. The mention of parental responsibility is also included in the CPC in its Article 6: "In all measures taken about the child, the prevention within the family must be a primary consideration to safeguard the role of the family consolidate, through a necessary protection for its natural development, the responsibility of parents or guardians in the child's upbringing, his education and guidance."

The erosion of the traditional education system has put into question the authority of parents. There are also many children whose parents can not afford for their education and schooling. The increasing inability of parents to assume their parental obligations is worrying. This is responsible for the increasing phenomenon of street children.

The Law No. 99-041 of 12 August 1999 on Social Insurance Code institutes a system of family benefits aimed at enabling the dissemination in families of concepts and ways to ensure better living conditions and upbringing of children. The family allowances related to pregnancy for women employees, prenatal, maternity, family allowances, (0-14 years) and the medical care of children.

The scheme reaches only a small number of children (about 200,000 children have benefited from family allowances).

The situation of children from underprivileged families is taken into account by various actions including:

- Legal social welfare of the State and local authorities through the issuance of certificate of indigence ;
- The creation of school canteens in poor areas ;
- Action by civil society organizations and the private sector through social programmes to support the education of children of destitute parents, sponsorship and access to medical care ;
- Decree No. 00 - 388/P-RM of 10 August 2000 to create the National Guardianship Council ;
- Assistance for Children with qualified as orphans in Mali according to Law No. 00-039 of 7 July 2000 to institute orphanages in Mali and its implementing Decree No. 00 387/P-RM of 10 August 2000 to lay down conditions to quality as orphans and terms and conditions of care (any child whose father, mother or family breadwinner died serving the nation either in the exercise of his functions, or in the performance of outstanding service), through :
 - Taking care of the costs of medical treatment and care ;
 - Taking care of school, apprenticeship and training fees ;
 - The granting of a full scholarship for secondary education or higher education ;
 - Placement where appropriate in a specialized institution.

However, difficulties remain concerning the care of these children including :

- The ambiguity of texts in their application (for example, the concept of orphan children of Mali, children of parents deceased in exceptional service) ;
- The state of poverty of Mali ;
- The bad perception of the situation of destitution ...

A significant number of children have received assistance from the State, civil society organizations, private sector, international agencies during events such as the new school year, the month of solidarity (October) , the end-of-year holiday season, the month of the fight against HIV / AIDS, the days of the Child (06 February, June 12, June 16, November 19, November 20), the International Women's Day (08 March), the international day of radio and television for children, etc.

TABLE 9 : INDICATORS OF MONITORING ACTIVITIES OF CHILDREN IN DIFFICULT SITUATION (from 1st January to 31st December 2006 the external services of social development)

Indicators of monitoring activities for children in difficult situations	Total
Number of registered children in difficult situation	12 033
Number of monitored children in difficult situation	11 402
Number of enrolled children in difficult situation	4 123
Number of monitored children of destitute parents who go to school, infected and affected by HIV/AIDS	344

c) Separation from parents; parents separation caused by a State Party; separation caused by internal displacement resulting from armed conflict, civil unrest and natural disasters (Article 19.2 & 3 and 25)

As already mentioned, the child is traditionally considered in Mali as the child of everybody and the concept of separation between parents and children is a new concept. There are however currently several types of parents / children separation :

- Separation imposed by the judge who entrust the child to either parent, depending on the interests of the child. This separation does not imply that contacts are completely broken with parents ;
- Separation that arises from the fact that parents entrust the care of their children to others who may be an uncle, aunt, brother, a friend of the family or a marabout. In these cases, there are sometimes cases of economic exploitation of children ;
- Separation caused by the death of parents: the orphan child is automatically taken care of by other members of the extended family or in the worst case (Urban), it is handed over to social services and can be adopted ;
- Separation because of the imprisonment of a minor (under exceptional legislation).

However, the Mali Law (through the Parenthood, Marriage and Guardianship Code and the Law on Civil Status) provides for mechanisms to safeguard the best interests of the child.

The Code on Parenthood deals with aspects relating to name, the acquisition of descent by birth, adoption protection, adoptive parentage, the effects of parenthood and the maintenance obligation.

Since the ratification of the CRC by Mali, harmonization efforts undertaken to better protect the child temporarily or permanently deprived of his family were unsuccessful. Article 19 para 3 of the CPC states that "children with no father or mother or ascendants to resort to or are totally neglected by their parents or ancestors shall be the responsibility of departments of the State ... Can also be adopted at home or abroad. Any authorization for international adoption shall ensure that the best interests of the child is the paramount consideration in the circumstances."

The protection of the rights of children separated from their parents has been reinforced since the adoption of the CPC in 2002 which provides :

- Taking into account the best interests of the child in making any decision concerning his separation from his parents and family (Article 3) ;
- The right to remain in contact on a regular basis and maintain personal relationships with them (Article 10) ;
- The right to health, physical and moral protection and the right to social welfare and education (Article 14).

Civil society organizations are also increasingly involved in the reception, listening, accommodation and training of children separated from their family.

These separations often create conditions that expose children to economic exploitation, violence and deviant behaviour, particularly for children entrusted to marabouts and housekeepers. The existing mechanisms do not ensure their protection.

Furthermore, Articles 8, 9, 85, 87 and 104 of CPC grant the child the opportunity to participate in any deliberations related to his situation and make his views known.

Also, According to Article 10 of the CPC 'children separated from their parents or one of them shall have the right to maintain contact on a regular basis and maintain contact with both parents, as well as with other members of his family, unless the court decides otherwise taking into account the best interests of the child. "

A National Commission for Refugees (CNCR) established by Decree No. 98-354/P-RM of 28 October 1998 under the Minister for Territorial Administration, is responsible for legal assistance of separated children. It refers them to structures such as the Association of Former United Nations Volunteers (AVENU) and the International Committee of the Red Cross (ICRC) for their care.

CPC instruments provide that when a child is separated from both parents, the State provides him with basic information on their whereabouts.

Structures are in place to identify cases of separated children, including the National Commission for Refugees (CNCR) and the International Committee of the Red Cross (ICRC).

The National Police, through the Morals Brigade, is also involved in the circulation of

information in cases of detention, imprisonment, exile, deportation or death. This information is not exhaustive.

d). Family reunification and children deprived of a family environment [Article 25. 2 (b)]

According to the study, the state of implementation of the CRC and other conventions ratified by Mali (2004), there is a legal vacuum in the area of family reunion, displacement and illegal return.

However, in practice all administrative facilities are granted to nationals and foreigners.

Current sub-regional conflicts increase the proportion of children seeking asylum, some unaccompanied. Children of Malian, Burkinabe, Guinean and other nationalities were housed and returned to their respective families.

Within the framework of bilateral agreements with neighbouring countries, Mali is committed to host, accommodate and facilitate the return to the family of every child of foreign nationality. The NGO Caritas - Mali has proceeded in collaboration with government departments responsible for children to returning to the family 140 children over the period 2003-2004. Local structures (municipalities, associations and NGOs) participate in partnership with NGOs neighbouring countries in activities of returning children to their families.

Ignorance of these provisions by the beneficiaries and the lack of means obstruct reunion.

With the framework of return to the family through dynamic partnership between the technical services of the State and civil society, children have better guidance: they are listened to and receive the necessary support (accommodation, clothing, health care, education, etc.) without discrimination.

Initiatives are taken by the councils, civil defence and NGOs to establish contacts with parents in the country of origin. However, these mechanisms are not dynamic, despite the existence of inter-State agreements.

Within the framework of bilateral agreements with neighbouring countries, Mali is committed to host, accommodate and facilitate the return of every child of foreign nationality to his family.

The signing of bilateral agreements in the fight against child trafficking with neighbouring countries, the actions of repatriation and return to the family within the framework of implementing the action plan against trafficking of children and training actions within the framework of family reunification are evidence of progress.

However, these actions must be strengthened.

The exact number of children and young people living outside their families is not available today. It should be noted that many migrate from rural areas.

The State of Mali continues to encourage private and community initiatives. Thus, efforts are underway to educate families and individuals to develop the establishment of networks of solidarity for children.

To better protect children in general and children deprived of their family environment especially against deviant activities in terms of exploitation, abduction and trafficking, Mali has established a regulatory framework to organize the placement, hosting, accommodation and orientation of children. Decrees No. 99-450 of 31 December 1999 and No. 02-067 of 12 February 2002 set out the conditions for the creation and determine the terms and conditions of the functioning of private institutions responsible for hosting, listening, placement, guidance or accommodation of children.

In terms of child protection in Mali, all measures of social or judicial protection effectively promote prevention and encourage the correction of unacceptable conduct towards children. These are measures of rehabilitation or physical or psychological re-education and social and family reintegration of children.

Among these measures, preference is given to the application of those that require that the child be maintained in his family. The placement of a child out of the family is a measure of last resort. In addition, it requires the participation of non-destitute parents in the educational expenses of children. The desire to maintain child-family relations explains this provision.

The traditional mechanisms of solidarity in Mali often allows for care for orphans and children abandoned by the extended family. In urban areas where traditional solidarity has a little role to play, orphan or abandoned children or children with mentally ill parents are welcomed by social services and receive the necessary social protection. The host and foster care centre (Nursery of Bamako), with an initial capacity of 120 children, experienced in 2003, an increase in its capacity with the construction by the government of new buildings and acquisition of logistics. It receives an average of 300 children per year. The construction of a second in CAPF Bamako is underway.

As concerns children entrusted to marabouts for their training in Koranic schools, a census conducted by the NGO Mali Enjeu in the table below shows the distribution of Koranic students per age group in the district of Bamako.

TABLE 10: DISTRIBUTION OF KORANIC STUDENTS PER AGE GROUP

Age (Years)	4 to 6	7 to 14	15 to 18	+ 18	Total
Enrollment	1624	3408	629	406	6067
%	26.77	56.17	10.37	6.69	100

Source : FINAL REPORT MENDICITE - MALI - ENJEU / GARFO 99

TABLE 11: SURVEY OF STREET CHILDREN IN THE BAMAKO DISTRICT OCTOBER 2002

Ages of children	Boys		Girls		Total population	
	No.	%	No.	%	No.	%
Less than 11 years	775	21	131	18	906	21
From 11 to 15 years	2135	59	498	68	2633	61
From 15 to 17 years	704	20	105	14	809	18
Total	3614		734		4348	

Sources : DNPEF/Samu Social Survey of street children - District of Bamako-2002

TABLE 12 : GUIDED CHILDREN IN DIFFICULT SITUATION

Years	enrolment			Percentage	
	Boys	Girls	Total	boys	girls
2003	6057	4003	10060	60.21	39.79
2004	7671	4630	12301	62.36	37.64
2005	12314	7351	19665	62.62	37.38
Total	26042	15984	42026	61.97	38.03

Source : Report of survey on children in difficult situations, CNDIFE- December 2005

TABLE 13: DISTRIBUTION OF BEGGING CHILDREN PER REASON FOR BEGGING : AGE AND SEX WHO HAVE BENEFITED FROM SOCIAL WELFARE SERVICES – YEAR 2005

Type of disability		Age bracket				Total
		< 7 years	7- 12 years	13- 15 years	16- 18 years	
Handicap	G	35	140	93	104	372
	F	31	102	60	65	258
	T	66	242	153	169	630
Indigence	G	31	295	451	389	1166
	F	9	261	55	419	744
	T	40	556	506	808	1910
Orphan	G	187	422	287	207	1103
	F	94	345	194	226	859
	T	281	767	481	433	1962
Social disease	G	156	65	155	215	591
	F	59	106	155	84	404
	T	215	171	310	299	995
Talibé	G	889	3415	2071	692	7067
	F	20	108	101	81	310
	T	909	3523	2172	773	7377
Others	G	4627	4322	1550	514	11013
	F	41	106	82	446	675
	T	4668	4428	1632	960	11688
Grand total		6179	9687	5254	3442	24562

Source : Système d'Information Sociale (Findings of the statistical survey Year 2005)

TABLE 14: CHILDREN DEPRIVED OF THEIR FAMILY ENVIRONMENT IN FOSTER AND PLACEMENT INSTITUTIONS 2002-2003

Institutions	Place	Enrolment	Status	Category of children	Observations
Centre d'Accueil et de Placement Familial	Bamako	296	State	Lost and found children, orphans, children of mentally ill, mentally deficient mothers	Some children are placed in families
Centre d'Observation et de Rééducation de Bollé	Bamako	28	State	Delinquent juveniles	
Centre Kanuya	Kalabancoro/Koulikoro	40	Private	Street children	
Foyer d'Hébergement CARITAS	Bamako	50	Private	Street children	
Foyer d'hébergement Fondation pour l'Enfance	Sévaré Mopti	15	Private	Street children	
Village d'Enfants SOS	Sanankoroba/koulikoro	123	Private	Lost and found children, orphans, social cases	
Village d'Enfants SOS	Sokoura/Mopti	60	Private	Lost and found children, orphans, social cases	
Centre d'Ecoute de la Fondation pour l'Enfance	Mopti	100	Private	Street children	
Foyer de la Fondation pour l'Enfance	Ségou	22	Private	Street children	
Orphelinat de la Fondation pour l'Enfance	Mopti		Private		
Centre d'Ecoute CARITAS	Bamako	489	Private	Street children	
Centre d'Accueil et d'Orientation pour Enfants	Bamako	1484	State	Missing children, street children, working children, idle children	Existence of a team of educational action in an open environment in collaboration with NGOs
TOTAL		2411			

Source : DNPEF /2004

The Penal Code and the CPC provide penal provisions against ill-treatment of children.

In its Articles 219, 225, 226, 228, the Penal Code sanctions:

- The abandonment of children in a way that his survival depends on chance;
- Act of indecency committed on minors of more than fifteen and under 21 years;
- Rape against a child under the age of fifteen years;
- And paedophilia as a crime.

Paedophilia is defined as "any act of sexual penetration or sexual touching of any kind committed against a minor under the age of thirteen or any exposure or exploitation for commercial or tourist photographs, films or drawings of a pornographic character showing one or more minors under the age of thirteen. However, the above crime is not established if the age difference between the perpetrator and the victim does not exceed five years. "

The physical and psychological recovery and social reintegration are remedies for such abuse. Appropriate legislative, administrative, social and educational measures are taken to protect children against all forms of brutality while in the custody of his parents or others. The CPC, in its Articles 73 to 76 makes the duty to report and protects any person with this duty, stating that "no person may be searched, arrested or prosecuted before the courts who had in good faith carried out the duty to report ...".

There are provisions in criminal law and / or family law to ensure the efficiency and effectiveness of the prohibition of all forms of violence, including corporal punishment and humiliation within the family, in foster homes, public and private institutions such as prisons, schools or health services.

Appeal procedures are provided for children and Article 73, paragraph 2 states that "every child report to the delegate of child protection his situation or that of any other child." The referral to the juvenile court judge is provided under Article 78 of the CPC. Judicial protection of the child is ensured by the juvenile courts (reference to the law on and criminal minority in the CPC).

Instruments are put in place to identify of victims and perpetrators through reports, inquiries, mandatory reporting by the people and support services that the child may appeal to under conditions of confidentiality. These provisions aim to ensure that violations of law are taken care of and the start of judicial involvement (Articles 81 and 82, PBS). They are supported by establishing training, information and awareness programmes on the mechanisms of physical and psychological, social reintegration and any other form of prevention and denunciation for the benefit of children and those to whom it is entrusted.

Special training is given to child care institutions. Information and awareness campaigns for those who are directly responsible for the child and any other such person to prevent situations of violence through the promotion of positive forms of discipline and non-violent treatment and encourage if necessary reporting instances of child abuse.

Information, education and communication activities carried out for the population on harmful practices such as female circumcision are growing with the support of civil society.

e) Child Care (Article 18.3)

Law No. 87 - 27/AN-RM of 16 March 1987 governing the civil status and the Parenthood code (Ordinance No. 73-036 of 31 July 1973) take into account the right of the child.

Article 7 of the CPC provides that "any decision taken must strive to maintain the child's family environment and avoid separation from their parents unless it appears to the court that such separation is necessary to safeguard the best interests of the child. That decision must guarantee children the right to continue to benefit from the different living conditions and services tailored to their needs, age and consistent with their normal family environment. "

Some children separated from their parents (children of divorced parents, child beggars, and children found) are supported by other members of their families or hosting institutions. However, many of them are not supported (street children) or are in adverse conditions (some children entrusted to marabouts forcing them to beg, to work beyond educational limits and these children are called "garibous" or beggars).

This complex problem of children separated from their parents, caused by multiple factors including poverty, modernity, and the attraction to cities is the subject of analysis and recommendations to abandon or adjust certain practices that alienate the children of parents (entrusting, education marabouts).

f. Adoption and periodic evaluation of the placement of the child (Article 24)

Under the Parenthood Code, adoption parentage confers as the same rights and duties between adoptive parents and their adopted children as, between parents and their children and gives adoptive parents the same powers as those biological parents have over their children. Only children under the age of five who have been abandoned or whose parents are unknown or whose fathers and mothers have died without leaving relations likely to take care of them can be adopted. The adoption parentage may be granted only if it offers advantages for the child and takes into account his best interests (Article 68).

As concerns protective adoption (Article 58), it takes place under the rules of tradition, regardless of the number of children and other conditions. It is done for the benefit of children who are orphans or not, without distinction as to parentage, race, religion or nationality. Protective adoption makes it incumbent on the adopter to feed, house, maintain and raise the adoptee and prepare its establishment. No matter its form, adoption is always made by a ruling in open court, after investigation and deliberations in the Chamber of the counsel. The public prosecutor is heard (Article 59 and 68).

In terms of International adoption, any adoption authorisation shall ensure that the best interest of the child is the paramount consideration in the circumstances (Article 19, Section 3 of the CPC).

The main difficulties linked to the achievement of adoptions are :

- Inadequate administrative monitoring of adopted minors related to the remoteness of the adoptive parents ;

- Poor knowledge of legislation by the biological parents who sometimes allow their children to be adopted when they can not afford to raise them.

TABLEAU 15 : ON ADOPTIONS FOR THE PERIOD 2001- 2005.

Designation Years	Adoption						TOTAL
	National			International			
	Male	Female	Total	Male	Female	Total	
2001	02	07	09	29	31	60	69
2002	04	06	10	43	63	106	116
2003	05	02	07	67	62	129	136
2004	02	02	04	41	40	81	85
2005	03	03	05	42	48	90	95
TOTAL	16	19	35	244	222	466	501

From the table, it is clear that international adoptions are higher in number than national adoptions. This confirms that the adoption in its modern form common in society. It is the “entrusting” or "Khalfala" of Islamic law which is very common.

Moreover, in adhering to The Hague Convention of 1993 by Decree No. 01-391 PRM from 06 September 2001, Mali is committed to undertake reforms on adoption that has been incorporated in the draft Code of Persons and the Family.

Mali now has a central body responsible for issues of adoption. It is the National Directorate for the Promotion of the Child and the Family. This central body is the only institution to submit adoption files to presidents of courts.

The adoption of new texts on the hosting and foster care centre (CAPF) mentioned above and awareness and support measures have helped increase the security of placements and the adoption of children abroad.

The Penal Code of provides for a prison sentence of 5 to 20 years to anyone convicted of child trafficking for the purpose among others of adoption (Article 244 of the Criminal Code).

Chapters II and III of the CPC provide specific powers to the Delegate for the Protection of Children with regard to placements, monitoring the placement, and care. Under Article 14, the child placed in an educational institution for the protection or rehabilitation or placed under detention has the right to health, physical and moral protection. He is also entitled to social assistance and education, while considering his age, sex, potentials and personality.

During the execution of a detention or a sentence in an institution, the child is entitled to receive periodic and limited permission (especially for treatment) which will be granted him in accordance with the laws governing the institution (Article 15 of CPC).

Children with no father or mother or ascendant who can be resorted to or who are totally neglected by their parents or ascendants are the responsibility of departments of the State

that provide for their education and care (Article 19, CPC). Some civil society organizations also carry out activities in connection with the placement of children (eg the SOS Children's Village).

In addition to government protection or rehabilitation educational institutions, children can be entrusted to families, or entrusted to private protection or rehabilitation educational institutions for children.

According to Articles 85 to 88 of the CPC, the competent authority on matters of placement and review of placement is the juvenile court judge. The latter may impose, for a specified time, one of the following measures:

- Keep the child with his family under parental responsibility ;
- Keep the child with his family and give the delegate for child protection the responsibility to monitor the child and to support and orientate him towards the family ;
- Submit the child to a medical or mental control and / or entrust him to a medical or psycho-educational institutions ;
- Put the child under guardianship or entrust him to a family or to a special educational institution or appropriate public or private educational institutions for the protection or rehabilitation appropriate ;
- Place the child in an appropriate training centre or school ;
- In the case of a child declared abandoned, delegate parental authority to any person who may be interested in the child or an educational institution ;
- In the case of a lost and found child, the juvenile judge, informed by public and private institutions or individuals who found the child, shall decide on temporary measures for care and protection of the latter.

Under the Code "protection or rehabilitation educational institutions" mean the host and placement institutions for children, institutions of listening, counselling and / or accommodation for children, the institutions of supervised education. They are regulated by Decrees No. 99-450 of 31 December 1999 and No. 02-067 of 12 February 2002.

Four host institutions for orphans and abandoned children under five exist and are placed under the supervision of the National Directorate for Promotion of the Child and the Family namely, the host and foster care centre of Bamako (Nursery), two SOS Children's Villages of Sanankoroba (Koulikoro region) and Sévaré (Mopti region), an association centre in Bamako.

The host and foster care centre of Bamako, reference structure regarding foster care, since 2002 has an institutional development project through which the State and its partners have invested over 150 million CFA francs. This project has enabled the upgrading of infrastructure in the centre, and the acquisition of new equipment and recruitment of staff.

Decree No. 99-450 sets at three years the maximum duration of stay for children (0-5 years) in a private or public reception and placement institution for children. During his stay, he is entirely under the responsibility of the institution. This period may be extended for six months if the child requires special care evidenced by a paediatrician. At the end of that period, the child not returned to his family or placed for adoption shall be directed to a State hosting centre or approved by the State.

Private hosting and placement institution for children are required to provide periodic

reports to public services responsible for children that ensure permanent assessment on the conditions of reception, accommodation and health status of children.

In case of major defects found in their functioning, the Minister in charge of Promotion of Childhood may, by reasoned decision, temporarily or permanently close the facility or institution (Article 17 of Decree No. 99 - 450).

Despite the efforts of the State party to adopt the laws and regulations to better fight against violence and abuse against children, structural difficulties exist and there are potential obstacles to the rights of children. They are :

- low education and literacy ;
- socio-demographic factors ;
- inadequate technical structures for the guidance of parents and families ;
- inadequate independent mechanisms of redress ;
- modest assistance from the state, the privilege accorded to modern forms ;
- the lack of technical personnel on placement ;
- weak training programmes ;
- weak mechanism for monitoring placements.

g. Abuse, neglect, exploitation of children including physical and psychological rehabilitation and social integration of the Child (Art 16 and 27).

The creation of the Delegate for Protection of Children (Article 66 CPC) and the institution of the duty to report (Article 73 CPC) are legislative and administrative measures for better care and protection of children deprived of their family environment.

Articles 85 to 86 of the same CPC determine the legal measures to place the child in the best conditions of security.

The exact number of children and young people living outside their families is impossible to calculate because of insufficient data on the number of children who live and are educated in schools outside their families, who will exodus.

The State of Mali continues to encourage private and community initiatives. Thus, efforts are underway to educate families and individuals to develop the establishment of solidarity networks for children.

To better protect children in general and children deprived of their family environment especially against deviant acts such as exploitation, abduction and trafficking, Mali has put in place regulatory instruments to organize the placement, the 'Reception, accommodation and guiding of children. Decrees No. 99-450 of 31 December 1999 and No. 02-067 of 12 February 2002 to lay down the conditions for creation and determines the modalities for the functioning of private hosting, listening, guidance and accommodation institutions for children.

As concerns child protection in Mali, all social or judicial protection measures are to effectively promote prevention and encourage the correction of unacceptable conduct towards children. These are measures of rehabilitation or physical or psychological rehabilitation and social and family reintegration of children.

Among these measures, preference is given to the enforcement of those that require the maintenance of the child in his family. The placement of the child out of the family is an exceptional measure and should be temporary. In addition, it requires the participation of parents in the educational costs of children. The desire to maintain child-family relations is explained in this provision.

The CPC defines the categories of children who can be considered as deprived of their family environment in Articles 50 to 65 :

- Children who are students and who travel to attend schools in other villages or councils or cities to continue their education and not receiving scholarship or maintenance for the State ;
- Children who, for reasons of religious training, are entrusted to marabouts who are nomads especially in urban centres and live by begging ;
- Premature child workers living on activities in the informal sector, victims of exploitation through work (especially girls housekeepers) ;
- Street children in major urban centres such as Bamako ;
- Children who are orphans, abandoned, found, receiving special attention in residential foster care homes.

More accurate data concerning continuity in the education of children and respect for religion and ethnicity of the child are not known. However, it is certain that an effort must be made to respect the cultural identity of the child.

The ill-treatments the child may be victim to are provided in the CPC and the Penal Code.

In Articles 219, 225, 226, 228, the Penal Code sanctions :

- The abandonment of children in a way that his survival depends on chance ;
- Act of indecency committed on minors of more than fifteen and under 21 years ;
- Rape against a child under the age of fifteen years ;
- And paedophilia as a crime.

Paedophilia is defined as "any act of sexual penetration or sexual touching of any kind committed against a minor under the age of thirteen or any exposure or exploitation for commercial or tourist photographs, films or drawings of a pornographic character showing one or more minors under the age of thirteen. However, the above crime is not established if the age difference between the perpetrator and the victim does not exceed five years. "

The physical and psychological recovery and social reintegration are remedies for such abuse. Appropriate legislative, administrative, social and educational measures are taken to protect children against all forms of brutality while in the custody of his parents or others. The CPC, in its Articles 73 to 76 makes the duty to report and protects any person with this duty, stating that "no person may be searched, arrested or prosecuted before the courts who had in good faith carried out the duty to report ...".

There are provisions in criminal law and / or family law to ensure the efficiency and effectiveness of the prohibition of all forms of violence, including corporal punishment and humiliation within the family, in foster homes, public and private institutions such as prisons, schools or health services.

Appeal procedures are provided for children and Article 73, paragraph 2 states that "every child report addressed to the delegate of child protection his situation or that of any other child." The referral to the juvenile court judge is provided under Article 78 of the CPC. Judicial protection of the child is ensured by the juvenile courts (reference to the law on and criminal minority in the CPC).

Instruments are put in place to identify of victims and perpetrators through reports, inquiries, mandatory reporting by the people and support services that the child may appeal to under conditions of confidentiality. These provisions aim to ensure that violations of law are taken care of and the start of judicial involvement (Articles 81 and 82, PBS). They are supported by establishing training, information and awareness programmes on the mechanisms of physical and psychological, social reintegration and any other form of prevention and denunciation for the benefit of children and those to whom it is entrusted.

Special training is given to child care institutions. Information and awareness campaigns for those who are directly responsible for the child and any other such person to prevent situations of violence through the promotion of positive forms of discipline and non-violent treatment and encourage if necessary reporting instances of child abuse.

Information, education and communication activities carried out for the population on harmful practices such as female circumcision are growing with the support of civil society.

It should be noted that significant progress made on the physical and psychological rehabilitation and social integration of children include:

- Setting standards for care institutions;
- Prohibition of corporal punishment in schools;
- Existence of new courts for children;
- Increasing the number of structures that care for children;
- Start of the collection of data on this category of children;
- Existence of information and awareness programmes.

However, great effort is needed to implement, evaluate and control new provisions.

VII

BASIC HEALTH CARE AND WELFARE

17. In this part, Party States are requested to furnish some relevant information, particularly on the main legislative, judicial, administrative and other measures such as projects, programmes, etc.; on the institutional capacity for the implementation of the policy on this domain, especially monitoring strategies and mechanisms; favourable factors and constraints; and the ground covered in the implementation of the relevant provisions of the Children's Charter, with regard to:

a) Child survival and development (see IV (C) general principles)

b) Disabled children (art. 13)

According to the core study on specialised education conducted by the Ministry of Education in 1996, the population of disabled persons in Mali stood at an estimated 1, 161,088 including 214,801 people aged between 0 and 19 years. The study also showed that the number of vulnerable children in urban areas is very high.

Pregnancy-related diseases, infectious diseases, micro-nutrient deficiency (iodine and vitamin A) and, to a lesser extent, domestic accidents are the main causes of disability among Malian children.

- **International and national legislation:**

- ✓ **International Agreements and Treaties**

- Convention on the Rights of the Child ratified under Law No. 90-72/ANRM of 29/8/90.
- ILO Convention No.159 on the Employment of Disabled Persons ratified by Law No.93-037 of 4 August 1993.
- Convention on the prohibition of the use, stockpiling, production and transfer of anti personal mines, ratified by Ordinance No.98-009/ P-RM of 3 April 1998.

- ✓ **National legislation**

Article 17 of the Constitution of Mali stipulates that the right to education, up-bringing, training, work, shelter, leisure, health and social protection are recognised.

Specific regulations relating to disabled children are taken into account in the Child Protection Code (CPC):

- The disabled child has a right, over and above the rights recognised for children in general, to protection and medical care, as well as to a level of education and training capable of helping him to be self-reliant and facilitating his active participation in life in the society (article 16).

- Within the meaning of article 22 of the CPC, the term “disability” refers to any of the following conditions, depending on supposed or actual, current or anterior existence:
 - Any degree of physical inability, disability, malformation, disfiguring due to bodily injury, a congenital abnormality or a disease and, especially, diabetes mellitus, epilepsy, any degree of paralysis, amputation, motor in-coordination, blindness or visual impairment, deafness or being hard of hearing, dumbness or speech disorder or requiring a guide, a wheelchair or any other corrective machine or mechanism;
 - A state of mental deficiency or loss;
 - A lesion or disability requiring permanent care;
 - Mental disorder;
 - Difficulty of learning or speech disorder, or difficulty in one or more processes of understanding or in the use of symbols;
 - Every child has a right to equal treatment in terms of services, goods or installations without discrimination as to race, place of origin, colour, social background, citizenship, belief, sex, age, marital status, family status or disability (article 23);
 - No child, whatever his physical or moral situation, shall be subjected to discrimination by his parents in terms of using a house (article 24);
 - Children of the occupant of a house have the right to live in that house without being harassed by the owner or his representative or another occupant of the same building on such grounds as race, place of origin, colour, social background, citizenship, belief, age, marital situation, family situation, social assistance situation or disability (article 25).

The Law of July 1998 governs the control of epidemics and institutes compulsory vaccinations against some diseases and its enabling instrument goes further to specify a list of diseases under compulsory declaration and the conditions for such declaration: whooping cough, cholera, diphtheria, yellow fever, cerebral-spinal meningitis, measles, poliomyelitis, drachma or Guinea worm, leprosy, tetanus, trachoma, typhoid fever, hepatitis.

The disabled child is taken care of by:

a) **The State** through central and external services of numerous government departments:

- Ministry of Social Development, Solidarity and Elderly Persons, mainly through the specific missions of the National Department of Social Development created by Ordinance No. 062 /P-R M of 29 September 2000.
- Ministry of National Education which has a National Directorate of Basic Education that embodies the Division of Pre-School and Special Education created by Law No. 085 of 26 December 2000.
- Ministry of Justice in charge of matters relating to legal protection through its specialised Juvenal courts and its rehabilitation institutions.

b) Associations and NGOs:

Governed by Law No. 04-038 of 5 August 2004, associations today occupy a central position when it comes to issues relating to taking care of disabled children. Apart from their information and awareness activities, associations are at the origin of the creation of many special education and social reintegration institutions. The State supports associations by granting them subventions in various forms (staff, finances, etc.) Some of the most active associations in Mali are:

- Malian Federation of Disabled Persons (FEMAPH) that brings together some fifteen associations;
- Handicap International
- Handicap without Borders
- Malian Association for the Fight Against Mental Disorder (AMALDEME)
- Union of Malian Blind People
- Malian Association of Physically Disabled Persons (AMPHP)
- Malian Association of Mental Patients (AMAM)
- Action Disability and Development (ADD).

For the success of actions initiated for the integration of handicapped children in schools, the following activities have been carried out:

- Creation of associations of parents of handicapped pupils (called APEH) in each of the six Council areas of Bamako to encourage school-going among handicapped children;
- Training of 96 executive members of APEHs on the promotion of the right of disabled children to education;
- Training of 1100 parents of handicapped children on disability and the rights of handicapped children to better equip them in taking care of their children;
- Training of 1010 teachers, pedagogic inspectors and school headmasters on special educational needs (UNESCO modules).

By Law No. 93-037 of 4 August 1993 the State of Mali ratified the ILO Convention No. 159 on the Employment of Handicapped Persons and the Convention prohibition of the use, stockpiling, production, transfer and destruction of anti personal mines by Ordinance No. 98-009/ P-RM of 3 April 1998.

It took part in preparing the Convention relating to the Rights of Disabled Persons.

Some special measures have been taken to facilitate the access of young disabled persons to education:

- Today disability is a main criterion in granting scholarships to pupils and students,
- The handicapped pupil, at his request, benefits from regulatory age-limit flexibility in the award of scholarships, orientation and examinations,
- There is a veritable social mobilisation effort being made for handicapped persons and particularly for handicapped children as seen through:
 - the celebration each year of the month of October as the month of solidarity and the consecration of 8 March 1998 as the day of insertion of handicapped women in the development process.

Under the family benefits scheme of the Mali Retirement Fund, the handicapped child (suffering from permanent disability that makes it impossible for him to earn a living), irrespective of age, benefits from the special temporary orphan pension equal to 10% of

the pension obtained by his father or that he would have obtained on the date of his death if the number of orphans does not exceed 5, otherwise the 50% is shared among them.

Through the Policy of National Solidarity in which handicapped persons occupy a central position, some national programmes have been developed by the State of Mali in collaboration with international organisations such as UNICEF, WHO and the Common Organisation for the Coordination of the fight against Major Endemic Diseases (OCCGE), as well as various associations and NGOs. These programmes comprise components relating to the prevention of handicaps, the readjustment and social reintegration of the disabled child such as:

The Expanded Vaccination Programme (PEV),
National Vitamin A Deficiency Control Programme,
National Iodine Deficiency Control Programme,
National Programme for the fight against Blindness and Blindness-causing Diseases,
Social Mobilisation Programme for Health,
Ten-Year Community-based Readjustment Plan,
MALI- UNICEF Cooperation Programmes,
National Leprosy Control Programme.

In order to ensure the follow-up of these programmes, a social information sub-system that defines specific indicators for disabled persons is currently under preparation in terms of social development. With regard to data collection, it is worth noting that the recent General Population and Housing Census (RGPH 1998) made provision for the counting of handicapped persons according to types of disability.

- A Community-based Readjustment Programme (RBC) was initiated since 1994 and 44 RBC committees have been set up. The education of disabled children is given pride of place in this programme. Through awareness raising campaigns and training of various education partners, schools are open to handicapped children.
- Each year the sub-department of the medico-psycho-educational centre of AMALDEME receives 50 young people between 16 and 18 years old. It offers socio-cultural animation, educational and sporting activities to all the children of the centre, apprenticeship and production activities.
- The Mali Federation of Sports for Disabled Persons was created in 1994. Satisfactory results have been obtained both at the national and international levels. From September 1994 to January 2001 athletes of this sport federation have won an honourable haul of 160 medals and 10 trophies in international events.

These different programmes are supported by actions carried out by specialised institutions such as:

- the Medico-Psycho-Educational Centre (CMPE) of the Mali Association for the fight against Mental Disorder (AMALDEME);
- National Institute for the Blind of Mali (INAM) in Bamako and the Regional Institute of Young Blind persons (IRJA) in Gao, of the Mali Union of the Blind (UMAV);
- The Readjustment Centre for the Physically Disabled (CRHP) in Bamako, Ségou and Gao of the Malian Association of the Physically Disabled (AMPHP);
- School for the Hearing Deficient (EDA) of the left bank of Bamako;

- JIGIYA KALANSO of the right bank of Bamako;
- The Kita School for the Deaf created by AMAM;
- The Torokorobougou Centre for the Deaf and Deaf and Dumb (Bamako);
- The National Centre for Orthopaedic Fitting of Mali (CNAOM);
- The School of Young Deaf and Deaf and Dumb, created by AMP SOM (Mali Association for the Promotion of the Deaf and Deaf and Dumb in collaboration with the Ministry of Basic Education);
- The "Soundiata" Centre of the Bamako III District Council.

Some of these structures place a premium on the integration of handicapped children. These include the CMPE, Readjustment Centre for the Physically Disabled (CRHP), Mali Union of the Blind (UMAV), Institute of Young Blind Persons (IJA), School for the Hearing Deficient (EDA), Institute for the Reintegration of Young Blind Persons (IRJA) of GAO, JIGIYA KALAN SO.

The difficulties that go with taking care of disabled children stem from:

- The high cost of machines (tricycles, hearing aid...)
- The difficulty disabled children have in adapting to mixed schools
- Difficulty of integration into the society
- The high cost of medical care
- Inadequate training of teachers on an integrating educational approach.

To better care for this category of children, it is advisable to:

- Subsidise the acquisition of machines;
- Strengthen the capacity of the specialised institutions and Associations working in this area;
- Encourage the employment of handicapped persons.

Furthermore, other positive actions that have been taken in favour of the handicapped are:

- the mobilisation at the level of the Department of Social Development of 100 000 000 (one hundred million) CFA F for the year 2007 as part of the implementation of the activities of the annual operational Plan of FEMAPH;
- the recruitment in 2007 of 25 young disabled persons into the civil service to promote "equal chances".

These actions have a positive impact on the situation of the disabled child.

TABLE 16: DISTRIBUTION OF DISABLED CHILDREN HAVING RECEIVED SOCIAL ASSISTANCE ACCORDING TO TYPES OF DISABILITY, AGE AND SEX²

Type of disability	Age group					Total
		< 7 years	7- 12 years	13- 15 years	16- 18 years	
Motor disability	B	583	1028	970	750	3331
	G	443	613	780	710	2546
	T	1026	1641	1750	1460	5877
Visual	B	158	397	355	300	1210
	G	158	315	398	149	1020

² Source : Social Information System (Results of the 2005 Statistical Survey)

	T	316	712	753	449	2230
Hearing	B	118	524	452	320	1414
	G	138	223	384	219	964
	T	256	747	836	539	2378
Mental	B	145	209	336	202	892
	G	205	188	238	207	838
	T	350	397	574	409	1730
Multiple disability	B	118	150	238	112	618
	G	64	114	202	77	457
	T	182	264	440	189	1075
TOTAL		2130	3761	4353	3046	13 290

TABLE 17: DISTRIBUTION OF EDUCATED DISABLED CHILDREN HAVING RECEIVED SOCIAL ASSISTANCE ACCORDING TO TYPES OF DISABILITY AND LEVEL OF EDUCATION

Type of disability		Level of education									
		1st year	2nd year	3rd year	4th year	5th year	6th year	7th year	8th year	9th year	T
Motor	B	217	216	216	172	211	163	159	146	182	
	G	125	156	105	118	140	83	86	80	101	
	T	342	372	321	290	351	246	245	226	283	
Visual	B	32	29	23	39	23	28	14	15	13	
	G	10	10	10	14	15	17	13	10	7	
	T	42	37	33	53	38	45	27	25	19	
Hearing	B	39	27	38	21	24	21	19	2	6	
	G	17	23	35	17	22	12	3	0	3	
	T	56	50	73	38	46	33	22	2	9	
Mental	B	56	33	32	10	9	5	4	0	4	
	G	23	15	14	11	8	4	4	0	6	
	T	79	48	45	21	17	9	8	0	10	
Multiple disability	B	61	38	14	6	7	14	7	14	10	
	G	29	21	6	4	3	7	7	2	6	
	T	90	59	20	10	10	19	10	16	16	
Total	B	407	343	323	248	273	231	203	177	215	
	G	204	225	170	164	187	123	110	92	123	
	T	611	568	493	412	460	354	313	269	338	

Source: Social Information System (Results of the 2005 Statistical Survey)

TABLE 18: NUMBER OF DISABLED CHILDREN TAKEN CARE OF

Indicators	Year 2003	Year 2004
Number of handicapped children having attended school	644	1791
Number of classroom adapted to handicapped children	12	01
Number of rehabilitated handicapped children	503	316
TOTAL (Children)	1147	2107

Source: Social Information System (Results of the 2005 Statistical Survey)

b) Health and health services

- The Government of Mali has made remarkable efforts to ensure the survival of the child through actions geared towards reducing the high rates of maternal and infant mortality mainly through the implementation of various policies: Reproductive Health (RH) Policy, national malaria control policy.
- These policies were drawn up with the contribution of Component I of the Ten-Year Socio-Sanitary Development Programme (PRODESS) following an approach based on the primary concern of bringing reproductive health services closer to the population by multiplying the number of meeting points and ensuring the availability of drugs and contraceptives at all levels.
- The implementation of these policies has led to the creation of new divisions and new programmes in the National Directorate of Health:
 - – the Reproductive Health Division in the year 2000 to replace the Family and Community Health Division;
 - – the National Malaria Control Programme,
 - – the National Programme for the fight against Schistosomiasis and Geohelminthiasis;
 - – the National Programme for the fight against Oral Conditions;
 - – the National Blindness Control Programme within the Disease Prevention and Control Division (DPLM); and
 - – the Nutrition Division.

The actions undertaken within these divisions and programmes mainly concern:

- Preparing and applying standards and procedures in RH, nutrition, oral health and the management of mild and severe cases of malaria and the strategic plan for the fight against blindness;
- The Integrated Management of Child Diseases (PCIME);
- The Strategy for the Acceleration of the Survival and Development of the Child (SASDE);
- The Prevention of Mother-to-Child Transmission (PTME) of HIV/AIDS;
- New approaches for the reduction of maternal and neonatal mortality have also been developed within the framework of Vision 2010 (Millennium Development Goals):
 - Organisation of the evacuation reference for 51 out of 59 centres in 2006;
 - Identification of obstetrical needs not covered;
 - Identification of Emergency Obstetrical Services (SOU) since Mali has 26 complete obstetrical treatment structures out of the required 22 according to the standards, that is to say 1.2 for 500 000 inhabitants and 15 basic emergency obstetrical care centres (SOUB) out of the 86 required by the standards, that is to say 0.7 for every 500 000 inhabitants, thereby showing a big deficit in terms of SOUB structures;
- the prevention of postpartum bleeding;
- the implementation of the CHANCE strategy (Antibiotherapy Surgery, Skin Cleansing, Change of Environment) within the framework of Vision 2020: contribute to the eradication of blindness-causing trachoma in the world by the year 2020;
 - Improving the legislative framework on abortion by revising the penal code;
 - Strengthening the intervention capacity of NGOs, associations, for-profit and denominational private sector by providing them with means of action and training them on the new standards and procedures in RH, malaria, etc.;
 - Determining the conditions of granting subventions to non-State players operating in the area of reproductive health;

- Improving the coordination of the various non-State players by setting up frameworks for consultation and information sharing;
- Producing and disseminating information gadgets on reproductive health in local languages;
- The existence of the Local Health Information System (SLIS);
- The existence of a National Centre for Information, Education and Communication for Health (CНИЕCS);
- Improving knowledge on health-related practices by conducting specific studies through the creation of a Centre for Research, Studies and Documentation on Child Survival (CREDOS).

Health services:

- First contact health centres:

In December 2006, Mali had 785 Community Health Centres (CSCOM).

TABLE 19: EVOLUTION OF THE NUMBER OF OPERATIONAL COMMUNITY HEALTH CENTRES (2002-2006)

Regions	Number of CSCOM earmarked in the community health development plans(PDSC)	Situation as of late 2002	Situation as of late 2003	Situation as of late 2004	Situation as of late 2005	Situation as of late 2006
Kayes	183	88	94	110	115	130
Koulikoro	167	82	85	88	103	107
Sikasso	186	137	141	142	152	152
Ségou	167	106	123	127	134	134
Mopti	128	83	94	102	109	109
Timbuktu	77	25	31	35	41	51
Gao	93	31	37	39	40	43
Kidal	13	5	5	6	7	7
Bamako	56	48	50	50	52	52
Total	1070	605	660	699	753	785

Source: SLIS

TABLE 20: EVOLUTION OF THE ACCESSIBILITY OF THE POPULATION TO THE MINIMUM ACTIVITY PACKAGE (PMA) WITHIN 5 to 15 KM RADIUSES, MALI 2002-2006

Accessibility to PMA	Year				
	2002	2003	2004	2005	2006
5 km radius around a Community Health Centre	44	46	47	50	51
15 km radius around a health facility offering PMA services in a fixed centre and advanced/mobile strategy activities (%)	68	69	71	75	76

* Source: SLIS

A progressive increase is observed (between 2002 and 2006) in the accessibility of the population to the minimum activity package within 5 and 15 km radiuses.

- Other first contact structures:

In order to ensure better health coverage through the development of the Minimum Activity Package (PMA), PRODESS makes provision for encouraging and supporting the creation of private facilities and signing contracts with private denominational structures and others.

The liberalisation of health professions led to the existence of 668 private health facilities in 2003. These facilities are divided as follows: 290 dispensing pharmacies, 155 drug depots, 155 medical practices, 39 clinics and 29 denominational health facilities.

To these structures should be added country-side medical doctors who are private ambulatory practitioners operating in rural areas and also covering many villages and hamlets.

TABLE 21: LIST OF PRIVATE HEALTH ESTABLISHMENTS IN MALI AS OF JANUARY 2003

HEALTH FACILITIES	REGIONS										TOTAL
	Kayes	Koulikoro	Sikasso	Ségou	Mopti	Timbuktu	Gao	Kidal	Bamako	No address	
Practices											
State-registered Midwives (SFE)	0	1	0	0	0	0	0	0	7	-	8
Nurses	3	5	12	3	8	2	0	0	35		68
Dentists	0	0	2	0	0	0	0	0	15		17
Medical Doctors	0	1	10	0	0	0	0	0	50		61
Clinics											
Medical	1	0	0	0	0	0	0	0	16		17
Surgical	1	0	0	0	0	0	0	0	18		19
Delivery	0	0	0	0	0	0	0	0	1		1
Private Clinics	0	0	0	0	0	0	0	0	2		2
Private Hospitals	0	0	0	0	0	0	0	0	2		2
Dispensing pharmacies	21	24	30	22	8	1	3	0	181		290
Drug Depots	20	30	27	43	17	4	3	0	0	11	155
Wholesale Pharmacies	0	0	1	0	1	0	0	0	11		13
Laboratories	0	0	0	0	0	0	0	0	4		4
Denominational health facilities	5	4	6	7	5	0	1	0	1		29
Total	51	65	88	75	39	7	7	0	343	11	686

Source: Inspectorate of Health, January 2003.

- Referral structures:

These are made up of reference health centres acting as first-level reference for local government areas known in Mali as *les Cercles*. At the regional and national levels, we have government hospital centres which serve as second and third degree reference structures.

- Reference Health Centres: there are 59 in number, 51 of which have organised evacuation reference. Most health centres in the *Cercles* have undergone renovation and equipment works as part of activities to organise the reference evacuation system. The rehabilitation

and increase of the technical capacity of first level reference structures are either completed or ongoing for some health centres in *cercles*.

- Organisation of the reference and counter-reference system;

TABLE 22: RUN-DOWN OF CERCLES ACCORDING TO REGIONS HAVING ORGANISED THE REFERENCE AND COUNTER REFERENCE SYSTEM.

REGION	Cercle	Total	% of realisation
KAYES	Bafoulabé, Diema, Kayes, Kita, Nioro Yelimane, Kéniéba	7/7	100
KOULIKORO	Banamba, Dioila Fana, Kangaba, Kolokani, Koulikoro Ouelessebougou, Nara	8/9	89
SIKASSO	Bougouni, Kadiolo Kolondieba, Koutiala, Selingue, Sikasso, Yanfolila, Yorosso	8/8	100
SEGOU	Baraoueli, Bla, Macina, Niono, San, Tominian, Markala	7/8	88
MOPTI	Bandiagara Bankass, Djenne, Douentza, Koro Tenenkou, Mopti, Youvarou	8/8	100
TIMBUKTU	Timbuktu, Diré, Goundam, Niafunké	4/5	80
GAO	Bourem, Gao, Ansongo, Ménaka	4/4	100
BAMAKO	1 st District, 4 th District, 5 th District, 6 th District	4/6	67
KIDAL	Kidal	1/4	25
TOTAL MALI		51/59	86%

Source: SLIS

The number of health districts having organised the first reference and counter reference system has increased from 43 in 2005 to 51 in 2006.

- Within the framework of the implementation of the emergency obstetrical service (SOU) project, 39 complete emergency obstetrical and neonatal care (SONUC) structures and 41 Basic Emergency Obstetrical and Neonatal Care structures (SONUB) are operational.
- Government Hospital Centres (EPH): There are 11 of them, including 4 in Bamako [Hôpital du Point G, Gabriel Touré, National Odonto-Stomatology Centre (CNOS), Tropical Ophthalmology Institute of Africa (IOTA)]; 1 in Kati; 6 in the regions (Kayes, Ségou, Mopti, Timbuktu, Gao, Sikasso).

- Availability of essential drugs:

With the implementation of the Master Plan for the Supply of Essential Drugs (SDAME) that was established under the national pharmaceutical policy, all first level and first reference health centres have a store for the sale of essential drugs under International Generic Names (DCI) and a Distribution Point for the *Cercle* (DRC). These points are replenished through costs recovery methods determined under the PRODESS.

Thanks to the same master plan, each hospital has a hospital pharmacy with a cost recovery system for hospitalised patients.

In June 1998 Mali adopted the National Pharmacy Policy (PPN) with its general objective being to make quality essential drugs geographically and financially accessible for the population. To attain these objectives, a strategic framework was drawn up which outlines some actions to be undertaken such as:

- Preparing laws and regulations that seek not only to promote the development of a free competition market but also to protect the population with regard to drug safety and financial accessibility;
- Developing a supply chain for quality essential drugs;
- Training prescribers and distributors on best practices in terms of the prescription and sale of essential drugs;
- Developing an information system for prescribers and distributors and the public on the use of medicines.

The implementation of this policy revealed that in spite of the relatively low costs of generic drugs, their use is still very low due to the uncontrolled existence of medicines sold by non-professional hawkers and retailers called “street pharmacies”.

- Use of services:

The access to and coverage of health services are still inadequate although efforts are being made through the implementation of PRODESS to improve the situation. As of 31 December 2006, Mali had 785 community health centres, first level health structures providing the Minimum Activity Package (PMA) including curative treatment, antenatal consultation, assisted delivery, family planning, vaccination, postnatal consultation, and promotion activities in an advanced strategy.

In 2006, 76% of the population was found less than 15 km from a community health centre and 51% less than 5 km away.

Apart from vaccination, coverage for the other preventive activities remains generally low. This is the case with antenatal and postnatal consultation, use of contraceptive and assisted delivery.

According to the third population and social survey (EDS III) the high rate of close pregnancies and high rate of fertility due to the high rate of infant, child and maternal mortality find justification in the low rate of contraceptive prevalence at 8.4% for all the women and 8.1% for married women. This rate stands at 23.5% in Bamako, 12.7% in the other towns and only 4.9% in rural areas. However, according to the Local Health Information System (SLIS), the rate of assisted delivery increased from 52% in 2001 to 59% in 2003.

Another type of constraint has to do with the difficulties the populations face in terms of access to health services due to the difficult economic situation of the country especially the low incomes of the population, in general, and of the rural poor in particular, which particularly affect the situation of the woman and the child.

 **Indicators of coverage**

Table 23: EVOLUTION OF EMERGENCY OBSTETRICAL NEEDS THAT ARE NOT COVERED (BONC) ACCORDING TO REGIONS FROM 2004 TO 2005

Regions	2004 (%)	2005 (%)
Kayes	56	45.9%
Koulikoro	46.7	35%
Sikasso	31.7	20.2%
Ségou	32.1	26.8%
Mopti	67.8	57.6%
Timbuktu	70.3	53.6%
Gao	71.3	64.7%
Kidal	60.7	83.2%
Bamako	10.9	1.7%
National	43.6	43.2%

Source: PRODESS tools

The table above shows that the rate of obstetrical needs not covered continues to be high in the whole country (43.2%). While in Bamako only 1.7% of BONC are not covered, more than 50% are not covered in the regions of Kidal, Gao, Mopti and Timbuktu. The satisfactory rate recorded in Bamako stems from the existence of national hospitals, pilot reference health centres in the management of emergency obstetrical cases (HGT, PG, Commune V, IV, CI, VI...) and private clinics.

A reduction is observed in the BONC deficit rate for all the regions except Kidal between 2004 and 2005. The rates of deficit vary from 83.2% for Kidal region to 1.7% for the Bamako District area. The rates of realization remain low at 50% for the regions of Timbuktu, Gao and Kidal.

Table 24: EVOLUTION OF CURATIVE TREATMENT (NEW CASES /INHABITANT / YEAR); 2002-2006

<i>Regions</i>	<i>Level in late 2002</i>	<i>New level in late 2003</i>	<i>New level in late 2004</i>	<i>New level in late 2005</i>	<i>New level in late 2006</i>
<i>Kayes</i>	0.19	0.24	0.26	0.28	0.3
<i>Koulikoro</i>	0.15	0.14	0.16	0.19	0.22
<i>Sikasso</i>	0.26	0.26	0.31	0.29	0.28
<i>Ségou</i>	0.25	0.22	0.26	0.27	0.27
<i>Mopti</i>	0.15	0.16	0.16	0.16	0.16
<i>Timbuktu</i>	0.18	0.21	0.20	0.22	0.25
<i>Gao</i>	0.14	0.19	0.18	0.19	0.23
<i>Kidal</i>	0.32	0.30	0.38	0.41	0.37
<i>Bamako</i>	0.32	0.39	0.35	0.37	0.35
<i>Mali</i>	0.21	0.23	0.25	0.26	0.26

Source: SLIS

Table 25: EVOLUTION OF THE RATE OF ASSISTED DELIVERY (%); 2002-2006

<i>Regions</i>	<i>Level in late 2002</i>	<i>New level in late 2003</i>	<i>New level in late 2004</i>	<i>New level in late 2005</i>	<i>New level in late 2006</i>
<i>Kayes</i>	23	26	34	40	42
<i>Koulikoro</i>	40	38	45	53	58
<i>Sikasso</i>	52	53	66	64	59
<i>Ségou</i>	38	39	49	50	55
<i>Mopti</i>	23	29	30	34	40
<i>Timbuktu</i>	13	15	18	24	27
<i>Gao</i>	13	15	17	20	22
<i>Kidal</i>	12	14	14	18	24
<i>Bamako</i>	90	93	94	97	99
<i>Mali</i>	40	42	49	53	55

Source: SLIS

The rate of coverage in terms of assisted delivery for the whole country increased from 40% (at the end of the first half of 2003) to 52% (situation as of the first half of 2005).

Table 26: EVOLUTION OF THE RATE OF COVERAGE OF ANTENATAL CONSULTATION (%); 2002-2006

Regions	Level as of late 2002	New level as of late 2003	New level as of late 2004	New level as of late 2005	New level as of late 2006
Kayes	39	48	71	76	82
Koulikoro	51	51	65	70	73
Sikasso	67	64	78	74	78
Ségou	61	74	96	81	80
Mopti	45	48	77	75	64
Timbuktu	33	31	35	46	52
Gao	25	34	30	50	57
Kidal	23	29	30	43	35
Bamako	79	90	88	91	90
Mali	54	59	75	75	75

Source: SLIS

The rate of coverage in terms of antenatal consultation for the whole country is on a constant increase from 56 % (in the first half of 2003) to 76% (situation as of the first half of 2005).

- With regard to vaccination

The efforts being made under the Extended Vaccination Programme (PEV) are beginning to be felt on the health of children. As a matter of fact, the prevalence of most of the PEV target diseases is reducing considerably. Under the Vaccination Independence Initiative, the State of Mali included the purchase of drugs on the State budget to the tune of 1 033 912 662 in 2003, 1 199 470 000 in 2004, 1 223 204 000 in 2005, 1 269 515 000 in 2006, thereby

covering all the annual needs of the Extended Vaccination Programme. On the other hand, as part of activities under the poliomyelitis eradication programme, National Vaccination Days (JNV) were launched all over the country, during which 2 480 621 children were vaccinated in 1998, 2 926 569 children in 2000 and 3 269 961 children in 2001. The JNV which increasingly associate the administration of vitamin A are henceforth synchronised in all ECOWAS countries with the new strategy being to systematically reach out to all families through “door to door” campaigns, thereby protecting a large number of children.

Routine information dissemination at the level of SLIS has shown that the efforts made have helped to record a remarkable increase, especially since the year 2000. Such increase coincides with the beginning of performance contracts signed between the communities and authorities, with the aim of ensuring the vaccination of a good number of children below the age of one. Community health centres (CSCOM) today have rather high vaccination coverage rates, in some cases higher than 80% in terms of the completion of the vaccination programme for children less than one year old.

Table 27: EVOLUTION OF RATES OF CHILDREN <12 MONTHS OLD TO HAVE BEEN COMPLETELY VACCINATED WITH DTCP3 (2002-2006)

Regions	Rate as of late 2002	New rate as of late 2003	New rate as of late 2004	New rate as of late 2005	New rate as of late 2006
Kayes	49	59	79	96	96
Koulikoro	74	72	83	94	91
Sikasso	91	91	116	92	93
Ségou	74	86	99	98	93
Mopti	71	80	79	88	86
Timbuktu	31	42	38	70	70
Gao	58	48	50	76	94
Kidal	41	109	107	63	46
Bamako	101	18	38	83	99
Total	74	79	90	91	92

Source: SLIS

The rate of coverage of children less than 12 months old to have been completely vaccinated with (DTCP3) increased from 84% (as of the end of the first half of 2003) to 97% (as of the end of the first semester of 2005). The objective set by PRODESS II (88%) is thus attained.

According to the EDS-M-IV M, the situation of vaccination of children also increased for all antigens (irrespective of age):

- 48% of mothers of children born during the last five years have been administered at least one tetanus vaccine during pregnancy as against 51.2% in 1995-1996;
- 83% of mothers having attained at least the secondary school level go for vaccination during pregnancy compared to 53% for those without education;
- 54.1 % of mothers living in urban areas have completed the vaccination programme as against 52% in rural areas;
- 96% of mothers having attained at least the secondary education level go for antenatal consultation compared to 77% for those with a primary education and only 52% of mothers without education;
- 70.4% of cases of antenatal consultation are carried out by qualified staff;

- 70.8% of women below 20 years old have more frequently undergone antenatal consultation during the last three years;
- The proportion of women receiving assistance during delivery stands at 49%.

According to the findings of the EDS IV-M, an estimated 2% of expected deliveries will be through caesarean. Referral structures perform only 15% of the foreseen caesarean operations. In spite of the efforts made under the extended vaccination programme (PEV), cases of poliomyelitis were still recorded in the country.

- Availability of human resources

The socio-medical personnel that is unevenly distributed over the national territory is quite inadequate. The table below shows some indicative ratios for the whole country in 2001:

Table 28: INDICATIVE RATIOS OF SOCIO-MEDICAL STAFF (number of inhabitants per type of personnel):

Region/Category	Doctors (ratio)	Midwives (ratio)	Nurses (ratio)
Kayes	18 716	96 882	12 767
Koulikoro	24 296	56 451	7 298
Sikasso	17 393	60 171	4 525
Ségou	17 787	39 411	4 763
Mopti	25 664	63 172	7 300
Timbuktu	15 391	81 351	4 785
Gao	14 665	29 330	1 938
Kidal	5 662	50 958	1 274
Bamako District	10 588	5 636	4 751
Total region	17 424	26 580	5 378
Region and National level	10 370	23 928	4 190

Source: 2006 Activity Report of the Ministry of Health.

WHO Standards: 1 Medical Doctor for 10 000 inhabitants; 1 midwife and 1 nurse for 5 000 inhabitants.

At the national level it can be realised that Mali is quite close to WHO standards for medical doctors. However, there are disparities between the regions (1:25 664 in Mopti as against 1:5662 in Kidal for medical doctors).

For midwives, Mali is far from meeting the standards; and even here there are strong regional disparities (1:96882 in Kayes and 1:5636 in Bamako).

For nurses, Mali has attained the WHO standards; but regions such as Kayes, Koulikoro and Mopti are far below the standards.

In spite of efforts being made to recruit health personnel (public service HIPC, local authorities, communities) the availability of qualified human resources remains a challenge for achieving the millennium development goals.

Nutritional situation of children aged between 0 and 59 months instead of measures taken to reduce infant and child mortality-

- **Malnutrition and micro-nutrient deficiency:** According to the preliminary findings of

the EDS IV-M 2006, 34 % of children are suffering from chronic malnutrition including 16% cases of severe chronic malnutrition. The rate of growth retardation increases very rapidly with age: at 6% for children below 6 months, it increases sharply to hit 40 % to 50 % for children aged between 12 and 59 months. This rate is slightly variable between the sexes, but it is higher in rural areas (38 %) than in urban areas (24 %). Moreover, this rate reduces sharply with the level of education of mothers: 35 % among uneducated mothers and mothers with a primary or basic education and 25 % among mothers with a secondary education or higher. There is a likelihood that children who do not live with their mothers in the same home tend to suffer more from growth retardation.

Children whose weight-to-height ratios are below less than two standard deviations from the median of the reference population suffer from emaciation or thinness. This type of acute malnutrition stems from inadequate feeding during the period preceding the observation. It can also result from recent illness, especially diarrhoea or sharply worsening feeding conditions. The results show that 13 % of the children are emaciated, including 3% of severe cases. The level of emaciation is highest among children aged between 11 and 23 months (between 20 % and 27 %), which corresponds to the period during which most babies are weaned and are exposed to disease (new unhygienic foods, exploration of the immediate milieu by creeping, etc.). Emaciation does not vary between boys and girls, but it is more frequent in rural areas (14 %) and among children of mothers with little or no education (14 %).

Children whose weight-to-age ratios are below less than two standard deviations from the median of the reference population tend to be underweight. This indicator reflects the two preceding types of malnutrition, chronic and acute. Thirty-two percent of Malian children are underweight, with 10% of them severely underweight. Weight insufficiency is more frequent in rural areas (35 % as against 25 % in urban areas), among children of uneducated mothers (33 % compared to 26 % among women with a secondary education or higher).

- Mortality rate

According to the EDS-M IV, the situation of child mortality is as follows:

- Infant mortality rate: 96‰;
- Infant and child mortality rate: 191‰;
- Child mortality rate: 105‰;

The maternal mortality rate stands at 464 deaths per 100 000 live births according to the findings of the EDS-M IV (2006).

- Infant and child mortality

The results of the EDS-M IV show that the infant and child mortality rate moved from 229‰ to 191‰ for the period 2001-2006.

Table 29: INFANT AND CHILD MORTALITY (in ‰) between 1991 and 2006

Period	Neonatal Mortality	Infant Mortality	Child Mortality	Infant-Child Mortality
1991-1995	60.4	122.5	131.1	237.5

1996-2000	57.1	113.4	130.5	229.1
2001-2006	46	96	105	191

Source: EDS II 1996, EDS III 2001 and EDS-M IV 2006

Table 30: EVOLUTION OF CASES OF AND DEATH FROM DISEASES UNDER EPIDEMIOLOGIC SURVEILLANCE, Mali 2002- 2006.

Diseases	2002			2003			2004			2005			2006		
	Cases	Deaths	Let (%)												
Meningitis	787	61	7.75	1147	73	6.36	1500	57	3.84	454	23	5.07	1040	75	7.2
Measles	474	10	2.11	232	1	0.43	602	13	2.2	100	0	0	243	1	0.41
Neonatal Tetanus	37	7	18.91	34	20	58.82	25	8	32	20	7	35	17	7	41.2
Yellow Fever	0	0	0	0	0	0	1	1	100	57	25	43.85	0	0	0
Cholera	16	2	12.50	1437	125	8.70	2860	200	6.95	903	66	7.31	5	0	0
PFA	8	0	0	121	0	0	71	0	0	117	0	0	112	0	0
Malaria in the North				22781	27		43150	39		44125	18	0.04	45062	9	0.01

Source: SLIS

Factors affecting the health situation of a child:

- Supply of safe drinking water and hygiene:

Despite the huge progress made, the level of access to safe drinking water for the whole country is still low. According to the EDS-IV, the situation of supply of drinking water into homes is as follows: 55.9% by pipe-borne water, 15.3% by public taps and 29% from protected wells.

In households where pipe-borne water is used, 18% of the children suffer from growth retardation; and in the other households more than 26% of the children suffer from growth retardation.

- Types of toilets are distributed as follows (EDS-IV):
 - . 11% for modern flush toilets (WCs),
 - . 8.5% for improved latrines,
 - . 34% for traditional holes.

The problem of solid and liquid waste disposal and the pollution of the atmosphere are some of the main causes of environmental degradation in rural and urban areas.

A National Public Hygiene Policy Paper was adopted during the January 1996 Council of Ministers. As part of activities to promote hygiene and sanitation, a national directorate for hygiene and the control of pollution and nuisance was established by Ordinance No.98-027/P-RM of 25 August 1998.

This directorate is responsible for:

- monitoring and ensuring the taking into account of environmental issues in sectoral policies and development plans and programmes and the implementation of the relevant measures adopted;

- the technical supervision and control of environmental impact assessment procedures;
- drawing up and ensuring compliance with national standards on hygiene and sanitation, pollution and nuisance;
- ensuring the control and compliance with laws and standards on hygiene and sanitation, pollution and nuisance;
- ensuring the training, information and raising the awareness of the citizenry on issues relating to unhygienic conditions, pollution and nuisance.

- Demographic factors:

The main demographic factors that affect maternal and infant and child mortality are close pregnancies and high rates of fertility:

- Female adolescents between 15 and 19 years old account for nearly 18.5% of total fertility rates among women;
- Nearly 49.3% of female teenagers (15-19 years) in rural areas have already given birth or are pregnant with their first child as against 27.9 % in urban areas;
- 46.8 % of female teenagers without education already have a child or are pregnant compared to 15.9% among those having attained at least the level of secondary education;
- The fertility rate per age in urban areas stands at 129% for 15-19 year-olds and at 218% for the same age bracket **in rural areas**;
- With regard to the synthetic fertility index, for women without any education it stands at 7.1%; for women with primary education, it is 6.6% and for those with secondary education or higher, it stands at 4.1%.

TABLE 31: RATES OF FERTILITY AMONG FEMALE TEENAGERS: PERCENTAGE OF ADOLESCENTS AGED BETWEEN 15-19 YEARS WHO ALREADY HAVE A CHILD OR ARE PREGNANT WITH THEIR FIRST BABIES

Characteristics	Female teenagers (%) who are:	
	Mothers	Pregnant with their first baby
15 years	7.6	3.7
16 years	16.2	6.0
17 years	29.9	8.0
18 years	52.1	9.0
19 years	61.4	7.3
Area of residence: Urban	22.5	5.4
Rural	41.3	8.0
Level of education	39.0	7.8
Primary	26.4	5.5
Secondary or higher	12.1	3.8
Total for the country	33.5	6.9

Source: EDS III

It should be recalled that women in Mali get married at rather tender ages. The proof is that among the 15 year olds, 25% were in a union even though the phenomenon of early marriages is on the decrease (24.1% of women aged between 45 and 49 years were already married at the age of 15 years as against 19.4% for women aged between 15 and 19 years at the time of the EDSM survey).

- Behavioural and cultural factors

The main factors that can have an adverse effect on the health condition of the mother and the child are sexual behaviours (high risk of contracting STDs / AIDS), genital mutilation (excision) and food prohibitions (taboos during pregnancy and for young children in cases of some illnesses).

- Prevalence rate of HIV/AIDS infection

According to statistics from the EDS IV survey the prevalence rate of HIV/AIDS in the population of Mali as a whole stands at 1.3%. Women are the hardest hit with a prevalence rate of 1.5% compared to 1% for men. The Bamako District, with 2%, has the highest prevalence rate, followed by the regions of Mopti with 1.6%, Ségou with 1.5% and Koulikoro with 1.4%. With such rates of sero-prevalence, AIDS stands out as a priority public health problem for Mali.

The fight against HIV/AIDS

The measures that are being taken in a bid to stem the tide of this pandemic, especially with regard to taking care of children affected and infected by the AIDS virus are still far from adequate. Treatment for the prevention of child-to-mother transmission started in the year 2000.

A policy statement on the fight against HIV/AIDS in Mali was adopted in April 2004. This statement institutes the National AIDS Control Supreme Council (HCNLS) lodged in the

presidency of the Republic. It has as mission to translate into concrete actions the goals of the policy statement which takes up the objectives of the National AIDS Control Programme (PNLS) established in 1999 to:

- prevent the spread of the AIDS virus in the population as a whole, with particular emphasis on the most vulnerable segments of the population, and to prevent mother-to-child transmission;
- improve the quality of life of people living with the AIDS virus and seek ways to cushion the impact of the disease on the affected families and communities;
- reduce its impact on health services;
- create an ethical and legal framework that sets out to uphold the rights of the human person.

Since the year 2004, treatment and drugs (ARVs) are administered free of charge to all patients with no distinction whatsoever. The free treatment arrangement also makes provision for some specific actions within the framework of the Prevention of Mother-to-Child Transmission (PTME).

The PTME programme was launched in August 2000 in the Bamako District. In 2006, there were 88 PTME centres spread all over the country. Thus, 35 099 women received counselling on and were screened for HIV/AIDS, and 1 199 of them tested HIV positive.

The organisation of solidarity activities as part of AIDS control efforts in Mali can be seen through the setting up of reception and counselling centres to provide information to and raise awareness among people living with the AIDS virus, ensure the treatment of opportunistic diseases in AIDS patients, the treatment of sexually transmitted diseases (STDs) using generic drugs, and render Counselling services for persons who have been tested HIV positive.

TABLE 32: PREVENTION OF MOTHER-TO-CHILD TRANSMISSION (PTME)

INDICATORS	NUMBER
PTME Sites	88
Women who went for antenatal consultation (CPN)	56 739
Women who received counselling on and went in for the HIV test	35 099
Seropositive women	1 199
Seropositive women who received treatment to reduce the risk of mother-to-child transmission (TME)	656
Children fed with substitutes of maternal breast milk	790
New cases of seropositive women who are being followed up	1 271
New-borns who are being followed up	1 124
Women placed on the triple-drug therapy	142

Source: 2006 Activity Report of the Sectoral HIV/AIDS Control Unit of the Ministry of Health.

TABLE 33: MANAGEMENT OF PEOPLE LIVING WITH THE AIDS VIRUS

INDICATORS	NUMBER
ARV treatment centres as of late 2006	31
Persons living with HIV who have started the ARV treatment (2001-2006)	11 508
Persons living with the HIV who started the ARV treatment in 2006	4 696
% of women among patients receiving ARV treatment	61 %
% of children among patients receiving the ARV treatment	6 %

Persons living with HIV who are regularly followed up as of late December 2006	7 904
Persons living with HIV who are being administered the prophylaxis/cotrimoxazole	12 568
PLWHIV being taken care of at home	14 924

Source: 2006 Activity Report of the Sectoral HIV/AIDS Control Unit of the Ministry of Health.

✚ ***Activities and Programmes implemented with a view to upholding the right of the child to health:***

- Programmes implemented

A project of education on family life jointly implemented by the Ministry of Health and the Ministry of National Education helped to develop and integrate ten training modules on hygiene and sanitation in the school milieu in addition to modules on reproductive health (RH).

Within the framework of reproductive health activities for teenagers, two projects were implemented which were aimed at contributing to empower the teenagers, encourage them to participate, and improve their welfare through access to information and other services relating to good quality reproductive health education.

To monitor all these programmes and size up the ground covered in the implementation of the national action plan for children, a master plan on the national health and social information system was adopted in 1998 and is currently under implementation. Monitoring indicators in terms of survival and protection have been identified using this master plan.

- Social mobilisation and IEC activities

All the health and social action programmes implemented in Mali are based on social mobilisation and IEC activities with the participation of children (short radio programmes, television programmes, production and distribution of posters and fliers on health, popular drama, print media, IEC sessions in health centres and within communities through community health associations, women's associations, etc.)

NGOs and Associations also play an active role in the implementation of the various programmes. Their activities are mainly geared towards the following functions:

- Information, awareness raising and social mobilisation for health;
- Putting in place of health and social facilities;
- Participation in the monitoring and evaluation of programmes.

As far as health is concerned, the NGOs are placed under the coordination of the group *Pivot Santé Population*, the Coordination Committee of the Activities of NGOs (CCA-ONG), the Secretariat of the Coordination of NGOs (SECO-ONG). There is also the National Federation of Community Health Associations (FENASCOM), a Technical Union of Mutual Funds (UTM), and the Malian Coalition of Children's Rights (COMADE).

TABLEAU 34: SUMMARY OF SOCIAL AND HEALTH PROGRAMMES AND PROJECTS UNDER EXECUTION BY DONORS IN 1997 OR EXECUTED BY DONORS IN 1997

Serial number	Projects - Programmes and Duration	Amount of the agreement	Donors
1	Population Health and Rural Hydraulics Project 1992-1997/1998	52, 794,000.	IDA, UNICEF, EDF KFW, FAC, Belgium, State, Communities
2	Four (4) Rural Health Units Renovation Project in the 6th and 7th Regions 1994-1996	10, 414,620	ADF, State
3	Point G Hospital Restructuring Project 1993-1996	1, 300,000	FAC, State
4	An Emergency Unit setting up Project in HGT 1992-1996	850,000	CFD, State
5	National Immunization Programme 1992-1997	2, 945,000	UNDP - UNICEF
6	Family Health and Community Project 1993-1998	38,441,328	UNICEF, UNFPA, USAID (PSPHR) USAID (BASICS) WHO, State
7	National Aids Control Programme 1993-2002	8, 293,050	UNICEF, WHO, World Bank, USAID, EFD, FAC, UNDP, State
8	National Guinea Worm disease Eradication Programme 1990-1995	15, 805,302	USAID, WHO, JICA IMPACT-UNDP, UNICEF, State of Mali, Global 2000,
9	National River Blindness Control Programme 1986-1998	660,000	OCP (France) Sight/Savers (BG) State
10	Health Infrastructure Development Project in Mopti Gao and Tombouctou areas 1993-1996	3, 765,300	IsDB, State
11	Outreach services and Diversification of Health Services 1993-1996	1, 200,000	FAC, State
12	Decentralized Integrated Healthcare System (PSPHR areas) 1993-1998	2, 034, 768	UNICEF, State
13	Integrated Healthcare in the North 1993-1998	916,482	UNICEF, State
14	Health sub-sector Institutional Reinforcement project 1992-1995	485,736	ADF/ADB, State
15	WHO Health Activity Cooperation Programmes 1994-1997	2, 369,736	WHO, State
16	Tombouctou Health Infrastructure Reinforcement Project 1982-1996	5, 597,403	ADF, State
17	Koulikoro, Nara and Niafunke Health Infrastructure Reinforcement Project 1987-1996	8, 972,607	ADF, State

18	SSP support project in Koutiala and Yorosso (Sikasso area) 1995-1998	2, 180, 742	The Dutch Party, State and Population
19	National Schistosomiasis Control Programme (Post project phase) 1993-1996	1, 000,000	GTZ, State
20	Improved Homes Project DNAS/GTZ1988-1997	2, 154,000	GTZ, State
21	Local Initiatives Promotion Project (PRODILO) 1995-1999	640,000	GTZ, State
22	SSP in the Bandiagara society 1991-1996	3, 500,000	GTZ, State
23	National Tuberculosis Control Programme 1995-2000	2, 756,450	KNCV (Dutch NGO) FAC, State
24	Hygiene and Sanitation Awareness Raising Programme 1993-1998	790,000	UNICEF, State
25	SSP support project in the Segou area (Phase IV) 1995-2000	2, 935,116	The Netherlands, State
26	Decentralized Public Health activities support project (Koulikoro area) 1995-1996	200,000	FAC, State
27	Doilal, Kangaba Health Development support project programme (PAP/DK) Phase III 1994-1998	374,068	The Netherlands, State
28	National Malaria Control Programme	51, 422,790	Belgian Cooperation, WHO, GTZ (in Bandiagara) Non-estimated Commitment of UNICEF, EDF, USAID, Save the Children USA, State
29	Swiss Health Support Programme (Sikasso area) 1994-1998	2, 004,214	Swiss party, Population

The significant drop noticed in 1997 is accounted for by the end of most programmes and projects under execution. Some of these projects and programmes were also reformulated as early as 1998 to fall in line with the PRODESS implementation. In the area of HIV/AIDS, activities already undertaken under the National Aids Control Programme (NACP) were strengthened as from 2004 through the setting up of an Aids Control multisector support project amounting to 25 million dollars and funded by the World Bank.

This project will help to draw up:

- The new AIDS control institutional mechanism in Mali,
- The national HIV/AIDS control policy declaration in conformity with the new multisector approach,
- Five-year sector action plans (2004-2008) at the level of some government departments and the comprehensive action plan at the national level (First implementation report of the Millennium Development Goals, September 2004)

d) Social welfare and services and facilities for child development

Article 17 of Malian the Constitution recognizes the right to social protection for all. The existing structures and mechanisms only cover some socio-professional groups such as

workers in the private sector and state-owned corporations covered by the National Social Insurance Institute (INPS) set up by law No. 61/59 AN/RM of 15 May 1961 and civil servants covered by State budget as well as retired workers covered by the Malian Pension Fund (CRM) set up by law No. 61-70/AN-RM of 18 May 1961. It should be noted that coverage remains partial even for those who receive it.

Although there is no such thing as a universal social security in Mali, PRODESS and the Social Protection Policy paper adopted by the Government in 2002 have helped to establish alternative health funding mechanisms:

- Compulsory health insurance;
- Mutual plan;
- Welfare fund for the poor.

Systems have been envisaged at the level of the CRM such as:

- Child benefits given to those with dependent children who benefit from seniority pensions and disability life annuities ;
- family allowances: this is a monthly lump sum of 1000 CFA F given to every minor. The child can be entitled to it until the age of 21.
- Incremental for a large family: This is a right which grants family allowances to those benefiting from seniority pension and who have raised at least three children of full age from birth until the age of 16 and over.
- Survivors' benefits pension or survivor's pension: this pension is allocated to the widow or widows and orphans of the deceased civil servant or pension worker.
- Surviving spouse's pension: in the event of death of the retiree or civil servant, the widow or widows are entitled to a pension that is equivalent to 50% of the pension received by the husband or that he would have received on the day of his death. This sum is divided equally among them. In the event of the death of one widow, her share will be divided among the others.

- orphan's temporary pension :

Every orphan who is a minor is entitled until the age of 21 and without any age requirement, if he becomes permanently disabled thereby making him unable to earn a living, to 10% of the father's pension or the pension he would have received on the day of his death if the number of orphans do not exceed 5, otherwise the 50% is divided among them.

Concerning the INPS, the following has been envisaged:

- child benefits scheme (prenatal allowances, maternity allowances, family allowances, daily benefits for women on maternity leave, reimbursement expenses incurred while on maternity or paternity leave, etc);
 - Solidarity allowance which is a life annuity;
 - The protection scheme for the medical field (preventive and curative treatment)

Mali has signed social welfare agreements with Burkina Faso, Senegal, Togo and Mauritania.

Law No. 96-22 of 21 February 1996 governing the mutual principle in the Republic of Mali provides that "mutual associations shall be non-profit making groups which seek, mainly through contributions from their members, to carry out, in the interest of these members, an insurance, solidarity or mutual aid activity".

Consequently, mutual associations:

- Prevent social risks related to the individual and their compensation ;
- Protect the child, the family, the elderly or the disabled;
- Ensure cultural, moral, intellectual and physical protection of their members.

The INPS has set up a network of 15 inter-enterprise medical centres and lends support to 70 company sick bays and 38 rural dispensaries. INPS members have 3 Maternal and Infant Protection centres and a dental care centre for children.

Article 5 of Law No. 99-041 of 12 August 1999 on the Social Insurance code of the Republic of Mali states that the child benefits scheme seeks to sensitize families to the notions and means of improving living conditions and educating children. All workers are entitled to:

- Benefits in kind from health and social activities;
- Assistance to the mother and to new-born babies in the form of antenatal and maternity allowances;
- Family allowances;
- Maternity leave.

- Measures adopted by authorities

In addition to activities, the National Statistics and Information Department (DNSI) publishes an annual bulletin on the situation of children and women in Mali and conducts periodic surveys on household consumer budgets and price changes.

As concerns poverty alleviation, the Government of Mali set up a Sustainable Human Development Observatory (ODHD) in January 1997.

This observatory publishes an annual report which defines the level of poverty of the population.

Through the INPS and the pension fund of Mali, the authorities set up a parent support mechanism, family allowances and other benefits.

About 200 000 children received family allowances from 1999 to 2004.

The social development department has set up a management system according to groups of children with poor parents (see table below)

Table 36 : SITUATION OF MUTUAL ASSOCIATIONS

No. of Mutual Associations	No. of members			No. of beneficiaries			No. of health benefits beneficiaries			No. of councils with mutual associations
	Men	Wom.	Total	Men	Wom.	Total	Men	Wom.	Total	
Set up	7169	5516	12685	14755	13876	28631	4409	4506	8915	42
Approved	27435	25411	52846	79325	79325	158643	71778	71541	143319	29

Source: Social Information System (Statistical Survey Results, 2005)

TABLE 37: SOCIAL WELFARE INSTITUTIONS

Institutions	No. of members			No. of beneficiaries			No. of companies affiliated to the INPS		
	Men	Wom.	Total	Men	Wom.	Total	State	Private	Total

INPS	1794	573	2322	1224	746	3127	399	634	1430
CRM	873	350	1212	604	627	1211	32	1	13
Total	2625	904	3473	1675	1319	2820	410	622	595

Source: Social Information System (Statistical Survey Results 2005)

d) Others (Community Health Associations: ASACO)

◆ 849 ASACOs of which 706 are functional and 461 in charge of evacuation (Source: Social Information System “Statistical Survey Results 2005”)

Table 38: SITUATION OF INSURANCES

No. of members	Compulsory Health Insurance	Health Assistance Fund			Voluntary Insurance	Crop Insurance
	0	Men	Wom.	Total	0	0
		149	99	248		

Source: Social Information System (Statistical Survey Results 2005)

TABLE 39: I.N.P.S. IN FIGURES³

Number of contributing employers	12 307
Number of active insured persons	120 741
Number of pensioners:	37 782
Number of annuitants	1 864
Number of beneficiaries:	58 826
Revenue contribution	.32 201 856 048
Incidental revenue	...2 291 949 280
Total revenue....	34 493 805 328
Child benefits expenditure	1 832 730 394 F.CFA
Occupational hazard expenditure	539 654 299 F.CFA
Protection expenditure against illness...	1 328 170 071 F.CFA
Old age, disability and death expenditure	14 517 657 641 F.CFA
Health and welfare activities expenditure	368 159 084 F.CFA
Technical expenditure (of benefits)	18 586 371 489 F.CFA
Investment and capital expenditure	396 981 525 F.CFA
Recurrent expenditure	6 504 765 981 F.CFA
- A.N.P.E transfer	1 342 345 466
- Total expenditure :	26 830 464 461
- Surplus :.....	7 663 340 867

Child care services and institutions:

As part of regulation of private sector activities, the government adopted decrees No. 99-450/P-RM of 31 December 1999 and No. 02-067/P-RM of 12 February 2002 to lay down the modalities of setting up, organizing and running Private Care and Placement Institutions for children and Private Care, Foster, Counselling and lodging institutions for children.

³ These are 2004 statistics. Population data is provided by the INPS in SIS figures and financial data is derived from the 2006 draft budget.

As for socio-educational institutions, they are managed under Law No. 87- 41/AN-RM of 24 July 1987 to authorize the functioning of private social professions.

The Bolle Detention, Rehabilitation and Re-integration Special Centre for women set up by Ordinance No. 99-006/P-RM of 31 March 1999 caters for under aged girls who have violated the law and women offenders.

The Bolle Detention, Rehabilitation and Re-integration Special Centre for minors set up by Ordinance No. 99- 007/P-RM of 31 March 1999 caters for under aged boys who have violated the law.

These two centres in Bolle which are the only ones in the whole of Mali come under the jurisdiction of the Ministry of Justice and this poses the problem of separation of minors and adults in prisons.

Standards have helped to better regulate the setting up of institutions, ensure continuous control, and put an end to chaotic reception, placement and adoption of children. They have also helped to improve care and counselling and facilitated understanding of the street children phenomenon.

Some problems persist however:

- insufficient centres
- Lack of skilled personnel
- Overcrowded centres
- Insufficient and ill-adapted premises
- Insufficient material and financial resources
- Poor appreciation of centres by the population.

Law 99-041 of 12 August 1999 on the Social Insurance Code establishes a child benefit scheme which seeks to facilitate dissemination, among families, of notions and means to improve living conditions and children's education. Child benefits include prenatal, maternity, family allowances (0-14 years) as well the medical care of children.

Only a minority of children benefit from this scheme (about 200 000 children have received family allowances).

Underprivileged families are taken into account under various actions, notably:

- Legal social assistance from the State and Local Authorities through the issuance of a certificate of poverty;
- The setting up of school canteens in underprivileged areas;
- Civil society and private organizations action through social support programmes for the enrolment of poor parents' children, sponsoring and access to medical care;
- Support to Malian children in care in the meaning of Law No. 00-039 of 7 July 2000 to establish the Children in care of Mali (any minor whose father, mother or family provider died in serving the nation, either in the discharge of his duties or in performing an exceptional service), such as:
 - Taking care of medical procedures and health care,
 - Assuming responsibility for the payment of school, apprenticeship and training fees
 - Providing complete secondary or higher education scholarship and placement in a special institution as the case may be.

However, some problems hinder the management of these children, including:

- Ambiguity in the implementation of instruments (for instance, the concept of wards of Mali, children whose parents died in exceptional service)
- Mali's state of poverty
- Poor perception of the extreme poverty situation, etc.

c) Care to orphans (see g of IX):

The HIV-AIDS pandemic in Mali compounds the precarious situation of children, in other words a situation where health services to poor young people are minimal, where infant mortality is among the highest in the world and where malnutrition and low enrolment rate render young people vulnerable to infection. The epidemic highlights social disparities, development impediments and cultural constraints.

In Mali there is no map that shows the areas in which children orphaned by AIDS are concentrated. According to international studies, areas with the highest percentage of children orphaned by AIDS are those which have the highest prevalence rate. Although this is not certain, it is highly likely that the number of children orphaned by AIDS is higher in urban areas. At the same time, it has been noticed that in the event of infection or death of parents, affected or infected children are often dispatched to rural areas.

19. In this section, State parties are requested to furnish relevant information, especially concerning the main legislative, legal, administrative and other measures such as programmes and projects, etc on institutional infrastructure for policy implementation in this area, notably monitoring strategies and mechanisms ; factors and problems encountered and achievements in implementing the relevant provisions of the Children’s Charter as regards:

a) Education, including vocational training and supervision (article 11).

This chapter presents the Malian educational system by describing the laws and principles on which it is based as well as its structure and infrastructure. The right to education features in article 17 of the Constitution. The measures adopted in educational matters are provided for in the Educational Guidance Law (Law No. 99-046) adopted by the National Assembly on 16 December 1999 and promulgated by the President of the Republic on 28 December 1999.

The Ministry of National Education (MEN) is made up of the following services:

❖ **The National Department of Basic Education responsible for:**

- Drawing up national policy elements concerning basic education development in liaison with the other technical departments of the ministry.
- Implementing national basic education policy in all its components (pre-school, basic education, special education, national education, *medersas*, literacy education, Education and Development Centre (CED)) in an integrated framework.
- Ensuring the coordination, technical control and monitoring of attached services and customized bodies.

❖ **The National Directorate of Technical Education and Vocational Training (DNETP)**

Responsible for:

- Drawing up and monitoring the implementation of national policy elements as regards:
 - . defining and setting up courses tailored to economic needs;
 - . preparing students for working life;
 - . preparing students for higher education;
 - . strengthening the intake and management capacity of schools;
 - . involving the private sector;
 - . controlling the flow of students;
- Coordinating and controlling regional technical services, attached services and customized bodies.

❖ **The National Directorate of General Secondary Education (DNESG)**

Responsible for :

- Drawing up and monitoring the implementation of national policy elements as regards:
 - . preparing students for higher education;
 - . strengthening the intake and management capacities of schools;
 - . involving the private sector;
 - . controlling the flow of students;
- Coordinating and monitoring regional technical services, attached services and customized bodies.

❖ **The National Directorate of Higher Education and Scientific Research (DNESRS)**

Responsible for:

- Drawing up and implementing training and research policy;
- Coordinating and monitoring regional technical services, attached services and customized bodies.

❖ **The National Centre for Exams and Competitive Entrance Examinations (CNECE)**

Responsible for:

- Drawing up and monitoring national policy elements as regards:
 - . pedagogic coordination and supervision;
 - . programmes;
 - . preparing and conducting Examinations and Entrance Examinations;

❖ **The Planning and Statistics Unit (CPS):**

Responsible for:

- Following up funding request and technical cooperation files;
- Evaluating sector projects and programmes;
- Coordinating in conjunction with the Financial and Administrative Department (DAF) the training programme on planning and statistics;
- Assessing and formulating needs concerning statistics and basic studies;
- Drawing up elements of the school map;
- Coordinating statistical information production and basic studies for dissemination.
- Ensuring the maintenance of standards regarding school infrastructure;
- Designing communication policy for the education sector;
- Designing school development infrastructure policy.

❖ **The Administrative and Financial Department (DAF):**

In charge of:

- Drawing up and coordinating policy elements of the department as concerns personnel, equipment and finance;
- Assistance in preparing and implementing government policy in the same areas.

❖ **The National Education Centre (CNE):**

Responsible for:

- Preparing programmes for pre-school education, informal education, basic education, general secondary education, technical education and vocational training and normal education in line with the new objectives assigned to the education system;
- Drawing up technical and pedagogic specifications, school manuals for the abovementioned levels of education;
- Monitoring the writing and publishing of school manuals for the private sector;
- Monitoring the implementation of the textbook policy;
- Designing policy review regarding pedagogic methods and innovations.

To these departments and central services could be added the steering committee of the Ten-year Education Development Programme (PRODEC), the University of Mali, the Language Institute, the National Centre for Informal Education Resources.

Sustainable improvement of living standards and the Malian people's well-being, including the poorest segments of the population, requires special effort to reinforce human resources and promote universal access to basic social services. These two areas of human resource development and access to basic social services have been identified in the Mali 2025 Prospective Study Vision as the main social challenges for which sheer willpower should be the force behind all actions that can and must be undertaken to achieve the goal of accelerated growth and poverty alleviation.

Significant and sustainable poverty reduction depends on the improvement of education, training and literacy teaching. Positive correlation has been shown to exist between education, economic growth and poverty alleviation through increase in productivity and income redistribution especially. Poverty eradication through education must be accompanied by the implementation of a strategy which seeks, on the one hand, to increase poor people's access to education and training and, on the other, to improve the quality and relevance of teaching and apprenticeship in an effort to increase their chances of availing themselves of opportunities that arise.

The reforms in the Ten-Year Education Development Programme (PRODEC) launched in 1998 are centred on the link between the school and the community. Mother tongues must be used and school management decentralized in order to move as quickly as possible towards universal enrolment. This relatively simple concept has been used as an analytical tool to develop components of the Education Sector Investment Programme (PISE) which ties in with PRODEC's first five-year phase.

There are four components in all:

1. education access;
2. education quality;
3. decentralized management and planning of the education system;
4. crosscutting thematic issues (issues related to STI/HIV/AIDS).

Set up since 2000, PISE went operational in September 2001. It is jointly funded by the State's budget and Mali's technical and financial partners (PTF). Preparation of the Medium-Term Expenditure Framework (CDMT) of the education sector in May 2004 should help to build PRODEC's stewardship capacities in line with the CSLP and MDG

goals. This framework should help to better coordinate the work of the PTF and thus pave the way for pooling resources in order to improve the absorption capacity of the sector⁴.

The abovementioned measures are in line with PRODEC through the Education Sector Investment Programme (PISE).

❖ **As concerns the education of the girl child:**

- restructure the “girl education” unit of MEN;
- build capacities of those responsible for girl enrolment in Teaching Academies (AE) and Pedagogic Centres (CAP);
- set up a girl enrolment strategy. A strategy for speeding up girl enrolment is being drawn up;
- balance in first year registration;
- abolish all education expenditure for girls in rural councils;
- reduce girl drop-out rate through a series of measures taken at the school and community level (construction of classrooms to bring schools nearer to pupils, waive all sorts of education expenditure for girls in rural councils, stop dismissing pregnant girls, reduce mothers’ tasks in income-generation activities, provide remedial and compensatory education, etc.)
- systematic introduction of gender training and the problem of girl enrolment in teachers’ initial training courses (in teacher training institutes and during contract teachers’ training sessions);
- balance in the election of Parent Teachers’ Association bureau members (PTA);
- develop a friendly school for children and girls based on the rights of the child and vital aspects: access, quality, health and hygiene, protection, non-discrimination and participation:
 - develop children’s governments, which are a vital tool for the promotion of the girl child at school (extension to the national level by 2007).

❖ **As concerns informal education:**

- set up a National Informal Education Resource Centre;
- set up Women Apprenticeship Centres;
- set up Education Centres for Development (ECDs);
- set up Koranic schools.
 - To develop ECDs:
 - The community has to be associated to ensure the smooth-running of the centres
 - Concerted effort is needed among communities, decentralized authorities, the State and all partners.
 - To develop Koranic schools:
 - The environment and premises have to respect required norms
 - There is need for fruitful partnership between the CAP, all partners and other Koranic schools.

Koranic schools have to change their former status where children could only learn the rudiments of the Koran and rules of religion and become a modern one in which they also learn other subjects taught in conventional schools (Maths, French, etc.)

⁴ *First report on Mali’s monitoring of the implementation of the Millennium Development Goals (MDGs)*, September 2004, p. 14.

❖ **As concerns special education :**

- increase Apprenticeship Centres for disabled children;
- Child Guidance Centre (CMPE) of the Malian Association of Mental Retardation Control (AMALDEME);
- Rehabilitation Centre for the Physically Disabled (CRHP) in Bamako, Segou and Gao of the Malian Association of Physically Disabled Persons (AMPHP);
- Hearing Impaired School (EDA) on the left bank of Bamako, JIGIYA KALANSO on the right bank of Bamako and the Kita School for the Deaf set up by INAM;
- The Torokorobougou Centre for the deaf and deaf and dumb children, Bamako;
- The National Orthodontic Appliance Centre of Mali (CNAOM)
- School for deaf and dumb youths set up by AMPSON (Malian Association for the Promotion of Deaf and Dumb persons in collaboration with the Ministry of Basic Education;
- Bamako III Council "Soundiata" centre, a sewing centre for physically disabled persons
- increase the number of Community Reception and Counselling Centres

❖ **As regards earmarking education funds**

- allocate funds for Heavily Indebted Poor Countries (HIPC);
- introduce the Medium-Term Expenditure Framework (CDMT) in the Education Sector.

❖ **Indicators**

a) Quantitative Indicators

The following tables give a general idea of the progress achieved in Mali in the area of Education For All since the Jomtien Declaration.

TABLE 40: CHANGE IN ENROLMENTS ACCORDING TO EDUCATION LEVELS, 1996-2004

	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
Preschool	20 322	23 548	23 015	24 156	25 130	26 104	29 200	35 000	-
Government / community	20 322	23 548	23 015	24 156	25 130	26 104	29 200	18 853	-
Private Medersa								16 147	
Basic Education	893 310	1012 724	1130 688	1182 570	1318 721	1425 609	1531 970	1677 102	1822912
<i>1st cycle</i>	785 195	887 784	988 835	1015 489	1126 294	1211 989	1294 672	1 396 791	1505 903
Government	623 214	679 615	749 041	752 608	795 701	837 781	844 493	911 176	948 194
Private	76 981	105 841	126 543	82 548	96 880	98 678	97 220	118 087	133 747
Community Medersa	20 000	25 000	30 000	112 175	150 462	168 755	231 302	227 334	257 947
Private	65 000	77 328	83 251	68 158	83 251	106 775	121 657	140 194	166 015
Government share (%)	79 %	77 %	76 %	74 %	71 %	69 %	65 %	65 %	63 %
<i>2nd cycle</i>	108 115	124 940	141 853	167 081	192 427	213 620	237 298	279 824	317 009
Government	93 067	106 891	124 221	146 327	166 747	182 862	189 776	237 817	265 344
Private	6 548	8 436	9 132	12 153	16 107	19 092	20 090	27 952	33 447
Community Medersa	0	0	0	0	126	289	11 001	1 064	1 489
Private	8 500	9 613	8 500	8 601	9 447	11 377	16 431	12 991	16 729
Government's share (%)	86 %	86 %	88 %	88 %	87 %	86 %	80 %	85 %	84 %
Teachers' Training	1 513	1 526	3 074	4 892	4 555	5 373	8 032	9 151	9 428
Secondary Education⁵			46 645	52 587	64 738	66 779	67 433	68 925	70 511
Government			36 333	39 351	43 594	43 200	43 971	43 516	43 776
Private			10 312	13 236	21 144	23 579	23 462	25 409	26 735
Government's share (%)			78 %	75 %	67 %	65 %	65 %	63 %	62 %
Technical Education	18 179	20 206	26 784	32 726	32 774	37 374	37 898	39 669	
Government	8 174	8 571	9 685	11 390	11 159	12 396	10 190	9 781	
Private	10 005	11 635	17 099	21 336	21 615	24 978	27 708	29 888	
Government's share (%)	45 %	42 %	36 %	35 %	34 %	33 %	27 %	25 %	

Source : RESEN

There was a sharp increase in enrolments in all education cycles from 1996 to 2004.

- At the preschool level: from 20,322 in 96/97 to 35,000 in 2003/04. More than 8% average annual increase.
- In the first cycle: from 785,195 to 1,505,903 in 2004/05. 8.5% average annual increase.
- In the second cycle: from 108,115 to 317,009. 14.4% average annual increase.
- In General Secondary Education: from 46,645 in 1998/99 to 70,511 in 2004/05.
- In technical education and vocational training: from 18,179 to 39,669 in 2003/04.
- In normal education: from 1513 to 9428 in 2004/05.

In the first cycle of basic education (See point IV of Table: General Principles), the girl enrolment rate climbed from 50% in 1999-2000 to 65.1% in 2005-2006, compared to 72% in 1999-2000 to 85% in 2005-2006 for boys. There was therefore a 20 point gap between boys and girls in 2005-2006.

The difference between boys and girls during the same period in the second cycle stood at 21 points.

There was a 10.40 point gap between boys and girls in general secondary education in 2002-2003.

As concerns technical secondary education and vocational training, a 1.60 point gap was noticed between boys and girls in the 2002-2003 academic year.

In a nutshell, there are sharp disparities between boys and girls from the primary to the secondary school level and the chasm keeps yawning.

TABLE 41: SHARE OF STATE BUDGET EARMARKED FOR EDUCATION (IN MILLIONS OF CFA F)

Education	2002	2003	2004	2005	2006	2007	2008
Preschool	517	473	585	804	1 030	1 262	1 501
Basic cycle 1	21 902	22 564	28 938	32 362	40 928	46 519	52 444
Basic cycle 2	12 595	12 312	14 673	14 570	15 659	16 770	17 903
General Secondary	9 280	11 486	13 877	14 422	14 463	14 367	14 172
Normal	3 314	3 432	3 120	5 947	6 189	6 445	6 715
	3 314	3 432	7 679	10 851	12 380	14 712	17 124
Vocational training leading to qualification and by apprenticeship	-	-	-	-	890	1 089	1 325
Literacy and informal	557	344	514	998	3 643	3 797	3 934
Higher and Research	11 932	11 242	13 535	14 726	15 961	17 241	18 568
Total	63 411	65 296	82 921	94 680	111 143	122 202	133 686

Source: Annual DAF Reports – Ministry of National Education

TABLE 42: BASIC EDUCATION SHARE IN THE BUDGET EARMARKED FOR EDUCATION

Education	2002	2003	2004	2005	2006	2007	2008
Basic cycle 1	21 902	22 564	28 938	32 362	40 928	46 519	52 444
Basic cycle 2	12 595	12 312	14 673	14 570	15 659	16 770	17 903
Total	34 497	34 876	43 611	46 932	56 587	63 289	70 347

b- Internal efficiency

Members of the United Nations undertook to achieve the MDGs. To what extent has Mali met these goals?

- ❖ **Ensure primary education for all:** provide all boys and girls with the means to finish a complete primary school cycle.

Although gross enrolment rates in the 1st cycle in Mali increased from 70.5% (59.9% for girls) in 2003-2004 to 75.0% (65.1% for girls) in 2005-2006, they are still far from the millennium goals: 25% of the total number (including 31.9% of girls) is still not enrolled. In the 2nd cycle the situation is hardly better: gross enrolment rates are no higher than 41.5% for all pupils (31.1% for girls).

- Today, a child entering the 1st year of the basic cycle has about 75% chances of reaching the 6th year, 47% of reaching the 9th year and 15% of completing General Secondary School. For the 1st cycle, 75 % remain low given the universal education goal (RESEN page 12).
- Mali is one of the countries on the African continent with the lowest primary school completion rate.
- In the second cycle, close to 23% of new arrivals in 7th year will not reach the 9th year (RESEN page 17),
- Close to 24% of pupils who reach secondary school will not complete if conditions remain as they are (RESEN page 17).

- ❖ **Equal access to school:** this means eliminating disparities, girl/boy inequalities are still very perceptible in all levels of education:

- In the first cycle: 85.1% of gross enrolment rate for boys and 65.01% for girls with a total of 75% (2005/2006)
- In the second cycle: 52.1% for boys and 31.1% for girls with a total of 41.5% (2005/2006)
- In general secondary education: 15.60% for boys and 5.20% for girls with a total of 10.30% (2002/2003)
- As we go up the academic ladder, gross enrolment rates decrease and girl/boy disparities increase.

c) External efficiency

PRODEC has set an objective of improving the system's external efficiency by adopting a demand based approach, especially in FTP and higher education through setting up partnership mechanisms with the private sector and tailoring the curriculum to the needs of the economy as well making it more flexible (short courses of study in higher education, apprenticeship in Technical and Vocational Training).

Progress in implementation has been limited. Furthermore, the information system on the labour market does not make it possible to have regular information on key variables: occupation and unemployment according to level and type of training, payment according to year of training and professional experience. It does not allow for economic profitability and the average time for the first job to be determined, etc.

➤ **Institutional management**

In the area of institution, PRODEC has set the following objectives:

- coordination capacity building of policy and sector programmes by setting up appropriate structures (national consultation committee, steering committee) and by developing analysis budget programming, aid coordination, monitoring and programme evaluation tools while ensuring the ownership of these instruments by the managerial staff;
- deepen decentralization and de-concentration through reinforcing the AE and CAP human and material means. To support this process, they will really be in charge of technical and financial responsibilities, drawing up regional and club programmes for development of the sector, transfer of skills to local authorities, setting up management and institution committees at the central level of the Education De-concentration and Decentralization Support Unit (CADDE);
- promote private participation, notably in early childhood development and post primary levels by simplifying entry and placement procedures of pupils in secondary schools on a competitive basis, co-management of services in higher education and involve operators in choosing courses of study and research programmes;
- encourage the involvement of the civil society in school;
- strengthen coordination mechanisms with PTFs by regularly drafting joint publications and producing periodic reports on PISE's technical and financial execution;
- reinforce dialogue on the programme through sustained communication effort to the different partners involved in implementation and providing them with relevant information.

✚ **Ten-year Education Development Programme(PRODEC)**

The Ten-year Education Development Programme (PRODEC) mainly seeks to build institutional capacities of ministries responsible for education, notably the Steering Committee, organize activities of mobilizing PRODEC stakeholders and develop an exhaustive and dependable information system; introduce the teaching of peace and human rights culture in basic and secondary education programmes; promote basic education of girls and women in areas of the North with very low enrolment and literacy rates; improve higher education quality through teaching supervision of university institutions using the TOKTEN method.

✚ **Education Sector Investment Programme (PISE)**

Objectives

The overall objective of the Education Sector Investment Programme – PISE (first phase of PRODEC, covering the 2001 – 2005 period) in Mali is to devise a general strategy for universal and equitable access to high quality education and efficiently manage the education sector.

It aims specifically to :

- Increase gross enrolment rate in the first cycle of basic education (primary) to about 50% to 70% by 2003/2004, including 58% girls;

- Improve teaching and apprenticeship quality; and
- Improve decentralized management of the education sector. Girl education and school health and hygiene issues will be part of all aspects of the programme.

Description

The project comprises three components:

- Improve teaching and apprenticeship quality by focusing the education system on learners' basic education needs and education quality. This component includes school health, hygiene and nutrition aspects aimed at enhancing school children's behaviour as regards health, hygiene and nutrition;
- Increase access and enrolment in order to step up the coverage rate. By targeting the drawing up of school maps and other activities, special emphasis will be laid on increasing the number of girls attending school as well as the number of rural children and children with special needs in apprenticeship. Early childhood development initiatives will also be supported; and
- Build education system capacities for decentralization and policy monitoring in order to modernize education sector management. This component will build services supply capacities in general for the sector, especially at the school level. Special focus will be placed on policy monitoring and impact assessment.

Main results achieved

Access

Increase in coverage was noticed at the first cycle level: Gross enrolment rate moved from 67% in 2002/2003 to 75% in 2005/2006. This is both as a result of a better access to school (gross admission rate increased from 60.5% to 74.2% in 2005/2006) and a high repeater rate (19%). The lower cycle is also marked by a high dropout rate: given the current enrolment conditions, survival rate is estimated at 75% in the whole cycle which might bring the completion rate of the current cohort to 48% in 2008/2009.

The Malian primary school situation is significantly characterized by a phenomenon of disparities:

- According to gender: enrolment rate for girls stood at 65.1% while that of boys was 85.1% in the first cycle (2005/2006);
- According to areas: enrolment rate in Segou was 53% while that of Bamako was 111%.
- The gap between enrolment rate for girls and that of boys often reaches 30 percentage points in some areas.

The second cycle of basic education has the same trends.

As concerns coverage : gross enrolment rate of 41.5% (2005/2006), gross admission rate of 36.5%, survival rate of 77%. On the hand, disparities (boy/girl, regional) appear to be more significant and repeating is pronounced (24%).

Admission to basic first cycle (254 236 in 2003-04 compared to 190 820 in 2000-01) is more dynamic in community schools and medersas than in government schools. Consequently, government schools' share dropped from 61.3% in 2001-2002 to 58.8% in

2003-2004, while community schools' share rose from 18.3% to 19.1% and that of Medersas from 10.5% to 12.7%.

Construction and equipment

- Infrastructure building: 737 classrooms, 4 IFMs (Sikasso, Koro, Tominian and Nara), 9 CAPs.

Recruitment of teachers

- 1 880 teachers recruited in 2004 for the two cycles by local authorities with support from decentralized structures.

Enrolment of girls

- Increase gross enrolment rate for girls in urban areas,
- Reduce the girl-boy gap in some areas (Kidal, Mopti and Timbuktu),
- Prepare a national draft document policy to speed up enrolment of girls,
- Organize catch-up classes for female candidates sitting the entrance exam into IFMs and basic schools in 3 areas,
- Dismissal measures for pregnant girls have been replaced with deferral measures,
- Draft and disseminate teachers' guides in order to eliminate sex-based stereotypes in the use of school manuals (production of home economics brochures),
- Training teachers in internal class practices taking into account gender peculiarities (SAGE programme).

Quality

- Teacher training

Initial training: initial training of contract teachers in the Teaching Staff Recruitment Alternative Strategy (SARPE) is organized in a harmonious way (programme, contents, timetable, training of trainers and monitoring mechanisms). A total of 1 000 students graduated from IFMs in 2004.

Continuous training: the national continuous training policy was adopted in 2003.

- New curriculum

Teachers face a lot of difficulties in using the new curriculum of analysing the accounting and financial system of Mali

- School Manuals

Tremendous efforts have been made to acquire and distribute manuals but there is still an acute shortage of school manuals and teaching aids, especially in basic disciplines such as French and Mathematics.

Many schools have received lots of manuals that are completely unrelated to the official programme; moreover, many manuals were acquired without any planning which means

an overabundance of manuals in some disciplines. There is also a lack of a manual management mechanism at the regional and local levels (AE, CAP and schools).

Phase II which spans the 2006 – 2008 period will see the speeding up of the management process under decentralization and the strengthening of MEN deconcentration through the refocusing of central services and deconcentrated services missions.

b) Leisure, recreational and cultural activities

Legal instruments governing leisure activities in Mali are:

- Law No. 01-079 of 20 August 2001 on the Penal Code whose articles 186 and 189 prohibit games of chance on public roads and in gambling houses (unless otherwise authorized by the law which lays down the conditions);
- Law No. 86-84/AN-RM of 12 September 1986 to govern the profession of travel organizers;
- Law No. 88-63/AN-RM of 5 August to govern the profession of entertainers;
- Order No. 2110/MJSAS-CAB of 30 May 1979 to use and organize biennials, regional and local weeks;
- The internal regulations of schools provide under Chapter V, Article 18 that “cultural and sporting activities are an integral part of school life. Accordingly, all pupils and students must take part in them” ;
- Decree No. 92 073/ P-CTSP to promulgate the Constitution in its Article 17 states that : education, teaching, training, work, housing, leisure, health and social protection are recognized rights;
- Decree No. 03- 269/P-RM of 7 July 2003 to regulate Education Authorities in the Republic of Mali.

In our context of a developing country where people are facing economic, employment, housing, health, education and poverty problems, it is difficult to talk about leisure. However, it should be noted that leisure holds a pride of place in Malian culture.

There is actually a coexistence of a traditional sector and a modern sector of leisure:

- **In the traditional sector context, leisure activities are inextricably linked to daily life, sex and age groups:**
 - events organized during births, circumcisions, weddings, funerals, ritual ceremonies and celebrations;
 - leisure activities linked to economic life : fishing and mass hunting, agrarian feasts (seeds, harvests, threshing);
 - sports related leisure : wrestling, horse, camel and canoe races and fantasies;
 - sex and age group related leisure : games and leisure of the “bilakoros” (N’Tomo – Yogoro), (“ teguere tilo” among girls).

Traditional leisure activities are basically rituals and are organized following a periodicity known to everyone. It is not laid down in any legislative or organizational instrument. Their practice is strictly linked to voluntary acceptance of the common verbal code as well as local customs and traditions. It is supervised by volunteers, former practitioners or ministries of culture.

- **In the modern sector context,** there are all forms of leisure inherited as a result of contact with the West and which can be linked to culture, sports, age, sex (cinema, concert, holiday camps, ball, sports, tourism, voyages of discovery, amusement ride, etc).

Modern leisure activities have the advantage of being codified in a universal way. They follow some logic of organization or profitability depending on the type of leisure. Their practice is often subject to membership, knowledge of rules of the game, special training, the existence of infrastructure and expensive equipment such as stadiums, entertainment buildings, specialized supervision (Ministry of Youth and Sports, Ministry of Culture, Ministry of Tourism, Ministry of Communication and New Information Technologies, Ministry of National Education, Ministry of the Environment (zoos and botanical gardens), declared associations and the private sector.

Stakeholders responsible for implementing these laws are:

- Ministry of Women’s Affairs, Youth Affairs and the Family
- Ministry of Health
- Ministry of Social Development, Solidarity and the Elderly
- Ministry of National Education
- Ministry of Culture
- Ministry of Communication and New Information Technologies
- Ministry Youth and Sports
- Associations and NGOs (COMADE, CAFO, CONAFE, APDF, etc.)

❖ **Public and Private institutions**

a) **Recreational areas:** Children’s City (La Cité des Enfants), Community Care Centres, Road junctions, youth centres and amusement park ride.

Crossroads, youth clubs and centres are focal points for training, education, information and amusement open to all without regard as to race, sex, religious, political or philosophical convictions. They are organized in club activities managed by permanent or non-permanent staff: artistic, sporting, technical. We also have reading, study, literacy, educational games, photography, cinema, do-it-yourself and debate clubs.

To this should be added:

- setting up leisure centres without accommodation;
- organizing controlled visits for children;
- setting up libraries as part of the “Public Reading Campaign” ;
- setting up six Reading and Children Animation Centres (CLAEC) in Bamako with an audience of 612 children from 3 to 12 years;
- the existence of a children’s library in Bamako;
- organizing sporting and cultural competitions;
- establishing prize award and end-of-year ceremonies;
- training holiday and leisure centre personnel;
- drafting regulatory instruments governing holiday and leisure centres (conditions for their functioning and health and medical arrangements).

- **Youth weeks and artistic, cultural and sporting biennials.**

These institutions seek to :

- strengthen youth unity and raise national awareness of youths;
- develop youths in the area of sports, arts and culture.

They take place in the form of games and festivals and they are ideal frameworks for the cultural assertiveness of our people. They help to enhance our forms of art, promote a vibrant and authentic national culture and early detect sporting elite.

- **Projects and youth fora aimed at :**

- helping young people to know their country better;
- helping youths to better exploit their cultural heritage;
- developing the spirit of cooperation between young people of Mali and those of the rest of the world;
- organizing youths for more efficient participation in the economic and social life of the country.

- **Athletic meetings which aim to:**

- promote athletics in the locality and region;
- help the Malian Athletics Federation to bring together many athletes from clubs in the country in order to better prepare the various competitions at the sub-regional, regional and international levels.

These meetings help to intermingle youths and encourage fruitful dialogue.

❖ **Educational youth movements**

Since the March 1991 revolution, national movements of pioneers have given way to associations:

- pioneers' associations;
- Guides and Scouts Association of Mali;
- etc.

20. In addition to the information requested in paragraph 8(d) of these guidelines, State parties are requested to specify the nature and scope of cooperation with local, national, regional and international organizations as regards the implementation of this part of the Children's Charter. State parties are encouraged to supply any piece of statistical information concerning children covered under this section.

❖ **Partnership with local and national organizations:**

A consultation forum bringing together all players in the education sector (Parent Teachers' Associations, School Management Committees, Students' Associations, Teachers' Trade Unions, Associations and NGOs working in the education sector, etc.). It seeks to:

- set up a forum for dialogue between education partners in order to encourage good information circulation and help in relevant decision-making;
- pool all school development potentialities.

Broad consultation and dialogue have confirmed the existence of reliable partners ready to help develop the Malian school. However, their skills are not judiciously exploited due to the lack of a structured framework. Consequently, it is necessary to take advantage of the decentralization policy and reorganize school partnership which is based on complementarities among all partners.

The consultation forum thus set up will have the triple advantage of pooling all potentialities for school development, clarifying roles and responsibilities of partners while taking into account the aptitudes and specificities of their actions, implementing indispensable priority actions such as drawing up partnership specifications and building capacities in logistical, financial and material means.

The functioning of this partnership forum, the roles and responsibilities of the various partners are defined in mutual agreement.

For instance, a Higher Education Council (CSE) has been set up in the Ministry of Education which seeks to:

- express opinions and put forward proposals on the main guidelines of national policy in education and training;
- express opinions and make proposals on all issues of national interest in education and training and their regulation;
- discuss all issues submitted to it by the Minister of Education.

The establishment, organization and functioning modalities of the CSE are laid down by decree taken in the council of ministers.

❖ **Partnership with regional and international organizations:**

Mali is a member of regional and international organizations such as:

- The African and Madagascan Higher Education Council (CAMES);
- *La Francophonie*;
- ISESCO;
- UNESCO;
- UNICEF.

21. In this part, State parties are requested to provide relevant information, notably on the main legislative, judicial, administrative and other measures such as, project, programmes, etc. ; on factors and difficulties encountered and the progress achieved in the implementation of the relevant provisions of the Children's Charter and on future specific objectives regarding:

According to the analysis based on the children's right approach, as taken into consideration in the planning's outline, the right to special protection measures is designed to correct lapses noted in the application of other categories of rights, notably : « Health and Welfare », « Education, Leisure and Cultural Activities », « Civil Rights and Freedoms », « Children and Families ». In this light, the Government, parents, and where necessary, the extended family, guardians and other persons legally responsible for the child, have the obligation to put in place legal and social mechanisms in a bid to prevent failings recorded in the application of other rights and the compensation for subsequent damages (physical, psychological and social rehabilitation) with regard to children in need of special protection measures.

The failure of formal, family and community education and the high incidence of poverty undoubtedly contributed to the appearance and development of new social phenomena in the country: street children in urban areas, children victim of violence, negligence, economic exploitation (sexual exploitation, trafficking, labour exploitation, beggary, etc.), in violation of the law, yet difficult to identify nowadays. It thus appears that the prevalence of the phenomenon of children in need of special protection measures poses a new development problem related to the needs that have so far received little or no attention and where behavioural aspects also come into play.

Given the cross-cutting character of special protection measures, they are enshrined in instruments governing the justice, the family, employment, education, health, narcotics, solidarity, social work training, research, etc. This institutional frame work has been strengthened by international conventions ratified by Mali, such as CDE, CEDEF, CADBEE, ILO Convention No. 182 on the worst forms of child labour, ILO Convention No. 138 on the minimum age for admission to employment and the Convention on the prohibition of the use, stockpiling, production and transfer of anti personal mines, etc.

At the national level, efforts by the party State involved adopting the Child Protection Code which effectively translates the CDE spirit. This innovation articulates the harmonisation of national legislation with the terms of conventions and other relevant treaties with a view to guaranteeing the gradual implementation of children's rights.

The trainings⁶ involved security agents and social workers assisting children (30), magistrates, radio presenters (414), directors of community radios (51), culture promoters

⁶ - Source : 1992 – 2000 – July 2001 Evaluation Report of the PAN

(45 comedians and 10 *griots*), public service employees (30 : health, education, water and sanitation) and CDE trainers (18).

a) Children under emergency conditions

- Refugee, repatriated or displaced children (Articles 23 and 25)

The national legislation is explicit in the protection of refugees across the country with regard to the management of refugee children. Law No 98 – 040 of 18 May 1998 on the Status of refugees, in Article 13, provides that the beneficiary of the refugee status shall be treated as a national with respect to access to health care, labour market, social security and education, especially as concerns tuition and university assistance. This legislative mechanism is strengthened by the ratification of international conventions, notably:

- The Geneva Convention of 28 July 1949 relating to the status of refugees, supplemented by the protocol of 31 January 1967 relating to the status of refugees ;
- The OAU Convention of 10 September 1969 governing specific aspects of refugees problems in Africa;
- The African Charter on Human and Peoples’ Rights of 1981 ;
- The African Charter on the Rights and Welfare of the Child of 1990 ;
- The International Charter on Human Rights (Universal Declaration of Human Rights, International Covenants on Civil, Political, Economic Social and Cultural Rights).

Government structures and the civil society carried out activities through the support project for the Promotion and Protection of Human Rights in Mali funded by Mali and the UNDP. This project provides funding to an NGO which raises the awareness of refugees on human rights in Bougouni.

A strong national solidarity impulse for foreigners and Malian nationals returning to Mali developed, following the political events that occurred in Côte d’Ivoire. Steps were taken in order to identify and welcome people fleeing the conflict, especially children. A National Committee for the Return of Malians was set up and managed by a Malian business man.

With respect to the condition of unaccompanied children, it was noted that a lack of professionalism was displayed in identifying these cases and providing the necessary social assistance. Consequently, the Government in conjunction with UNICEF developed a training manual for unaccompanied and separated children, a training of trainers for 30 persons involved in the reception of repatriated persons, refugees and or displaced persons.

Ordinance No. 02-062/P-RM of 5 June 2002 on the Child Protection Code also enhances the legislative machinery in its Article 20 which provides for the “protection against any publication or circulation of images which do not respect the child’s integrity, honour and privacy”;

Decree No. 03 054/P-RM of 28 October 1998 to set up a National Commission in charge of Refugees (CNCR) whose task is to assist the Government in the implementation of its policies pertaining to the management of refugees nation-wide. In this regard, it shall:

- Provide justifiable advice on all issues relating to the admission, administration and management of assistance to refugees ;
- Coordinate and follow up activities carried out in the management of refugees ;
- Prepare files for the recognition of refugee status;
- Ensure the protection of refugees.

Concerning measures adopted to ensure the circulation of information and training, especially for competent civil servants in the relevant fields, a workshop on the international protection of refugees held in 2004 at Bamako, bringing together participants from Senegal, Guinea Bissau and Mali.

A Guide for the Refugee in Mali was published.

The co-operation between the Government, UNHCR and IOM was very appreciable in the assistance to people from Côte d'Ivoire.

According to statistics from the National Commission in charge of Refugees, the number of refugee children recorded from 1998 to March 2005 stands at 395 children from 0 to 4 years and 996 children from 5 to 17 years.

The Commission has two transit centres designed to provide accommodation and assistance to refugees, including children. It co-operates with the ICRC and AVENU in providing health care, education clothing and feeding, etc to refugees.

A yearly report on the situation of refugees is sent to UNHCR in Geneva.

- Children in armed conflicts, including specific measures taken to protect and assist children (article 22)

Since 1998, Mali has not witnessed any armed conflict. However, there are legal provisions designed to address any situation that children may confront in case of armed conflict. The Malian legislation systematically forbids the enlistment of children in armed conflicts or groups. Thus CPC (article 17) stipulates that «the child shall benefit from all the guarantees of international humanitarian law provided for by ratified conventions. It is forbidden to cause a child to take part or to involve a child in an armed conflict, or to enlist him in armed forces or groups before the age of 18.

Article 18 of the same code prohibits the exploitation of the child in the various forms of organized crime, including inculcating fanaticism and hatred or inciting the child to commit acts of violence and terror»;

b)-Children breaking the law:

The notion of children in conflict with the law includes the administration of justice for minors; the treatment of the child deprived of freedom, including children subjected to all forms of detention, imprisoned or placed in custody, sentencing of minors as well as physical, psychological rehabilitation and social integration.

A trainer's guide for minor's justice was drawn up taking into consideration the contents of the CRC, ACRWC and CEDAW and is being used.

▪ **Judicial protection of the child**

Reforms carried out recently in the judiciary have incorporated provisions of the Riyad guiding principles and Beijing rules in the new laws on juvenile delinquency, the Penal Code, Criminal Procedure Code and the Child Protection Code which reflect the progress made in the administration of justice for minors and prevention of child trafficking.

Law No. 01-081 of 24 August 2001 on juvenile delinquency and the establishment of jurisdictions for minors and Ordinance No. 02-062/P-RM of 5 June 2002 to institute the Child Protection Code are the two legislative instruments regulating justice for minors. CPC has provided for two protection mechanisms for every child in danger: that is community and judiciary. Thus in a bid to address the possible limitations and lapses of community prevention, a judicial protection of children in danger proves to be necessary. It provides the possibility to choose between 2 modes for the protection of the child in danger according to circumstances; each mode may have advantages and disadvantages.

Contrary to measures provided for as part of community protection, measures taken by the judge are not consensual, even if parties have been consulted. Consequently they can not be challenged by the parties. They are binding notwithstanding any appeal.

▪ **System of protection for juvenile delinquents**

The system of protection of the juvenile delinquent may be introduced through four basic principles:

- a) The criminal responsibility and juvenile courts;
- b) The institution of a restrictive and auxiliary process to proceedings;
- c) The safeguard of the specific rights and interests of the child ;
- d) The moderation of sanctions.

The criminal responsibility and juvenile courts:

Under the Code the legal age of majority is 18 years. This means that in principle, as per the criminal code any child below the age of 18 is a minor. As such, s/he is excluded from criminal liability for any offence committed

However, in order to guarantee to society the right to protect itself against offences committed by children, the Code has established a mechanism to address criminal responsibility for the child before the legal majority laid down.

As such, before 18, the child could be declared criminally liable.

This liability is worked out as follows:

Firstly: the minor of less than 13 years can never be criminally liable. This is an undisputable presumption that can not be subject to any exception or limitation. The CPC has established an *irrefragable presumption of innocence* for children below 13.

Secondly: from 13 years upward, liability may be retained. But, this declaration of liability is subject to the important condition that at the time of the offence the child acted in good judgement. The existence of this condition is appreciated by the judge on the basis of subjective and objective criteria.

Conversely, where the child acted unconsciously in spite of his 13 years of age, the child shall not be prosecuted.

That is an *ordinary presumption of innocence* that proves the contrary.

In short, the code presents 2 essential rules:

1°) the non-liability for offences committed by children below 13 and above having acted without good judgement;

2°) the liability for offences committed by children aged 13 and above having acted in good judgement.

From the analysis, it emerges that criminal liability before 18 years is the exception, while the rule is non-liability.

It is worthy of note that where non liability is opted in lieu of legal proceedings, the child is handed to his parents or a specialized educational institution for a period that shall not exceed his or her penal majority.

- *Specialization of courts*

The Code institutes special jurisdictions for children referred to as juvenile courts. In the light of the principle of compliance with the double degree of jurisdiction, juvenile courts are first and second instance. They are referred to as: the children's judge, the tribunal for children, the minors' bench of the court of appeal and the court of assizes for minors.

A specialization of these courts is necessary. It includes:

- a) specialization in terms of the substance: monopoly of proceedings against offender children;
- b) specialization in terms of procedure: dispensation from the common law procedure ;
- c) specialization of staff: the staff profile or training should include the knowledge of children's rights.

A restrictive and limited process for proceedings

The juvenile offender is protected by a mechanism which restricts the scope of proceedings and a mechanism designed to put an end to proceedings. This includes referral to a juvenile court for the former and mediation for the latter.

- **Decriminalization:**

“Decriminalization” refers to a process by which offences (at the top of the pyramid of offences) are transformed into less serious offences, especially misdemeanours (which are at the lower scale of the pyramid). The consequence is that punishment is less severe. This is a favour through the application of softer sanctions.

Recourse to this process is admitted except for offences that have led to loss of life.

Example: Stealing is an offence. When theft is committed at night, it becomes a crime. The judge shall ignore the aggravating circumstances and will retain simple theft.

Mediation:

Mediation is a mechanism which helps parties to put an end to proceedings (victims and offenders) through conciliation between the juvenile delinquent and the victim or their respective representatives.

Mediation is subject to a certain number of conditions:

- The existence of sufficient proofs to justify proceedings;
- The acknowledgment by the offender of his responsibility;
- That mediation is not a danger for the child and society;
- The consultation and acceptance by the victim or his representative;

Mediation is conducted under the aegis of a mediator and is applied largely. Mediation is only excluded in 3 (three) restrictive cases: crimes, sexual offences, offences related to misappropriation of public property.

- **Safeguarding specific rights and interests of the child**

During the long criminal process, special rights and guarantees are established and applied to the juvenile delinquent.

Concretely, specific rights and guarantees are provided for at every stage of the judicial process: from the arrest to the judgement and execution of sentences.

The arrangement deals with the conditions under which the child is deprived of his freedom, fairness of the trial and protection of the specific interests and needs of the child.

For instance, wards of court and detention awaiting trial are very restrictive.

As such, police custody is forbidden for children below 15 years in non criminal matters, whereas it is subjected to restrictive conditions for children above 15.

Similarly, police custody is subjected to very rigorous conditions for children aged 13 and above.

Deterrent sanctions are provided for to punish any breach of these rights. These include, as the case may be, administrative sanctions, sanctions to nullify the procedure, fines or prison sentences. These sanctions guarantee the respect of rights.

- **Moderation of sanctions**

The institution of social or alternative measures in non criminal matters.

In non criminal matters, it is possible to choose between criminal sentencing and alternative measures. Thus, in case of misdemeanour and offences, sanctions may be social or judicial measures; at the discretion of the jurisdictional body.

Alternative measures provided for are designed to correct the unacceptable conduct of the child. These include rehabilitation as well as physical and psychological re-education and social reintegration.

They are referred to as: admonition, return to parents, placing in the care of an institution, a medical institution or special school, restriction of freedom or probation, and for 16 to 18 year old children, community work.

Social and alternative measures should be preferred to criminal sentences

Mitigation of the harshness of sentences

For sentences limited in time:

Mitigation concerns the reduction of the punishment provided for. The child is sentenced to at most half of the punishment provided for; both for criminal and non criminal matters.

For sentences that are not limited in time:

These sentences exist only in criminal matters. They include death sentences and life imprisonment.

As concerns the juvenile offender, the death sentence is purely and simply ruled out, while life imprisonment is converted to 10 to 20 years prison sentence.

As soon as a minor offender is arrested, he or she is informed of his entitlement to a legal counsel. Under Law No. 01- 082 of 24 August 2001 relating to legal counselling the child may claim his rights to justice.

Despite the fact that legal assistance to the child is provided for and guaranteed by Articles 19, 20 and 21 of the new law on juvenile delinquency, its application is still unlikely because of inadequate independent monitoring and control mechanisms, lack of awareness of the population and professionals, insufficient courts and juvenile judges (11 judges in 2001), inadequate and non functionality of juvenile courts and non-existence of specialized detention centres in the regions. It is still difficult to assess efforts geared at the physical and psychological rehabilitation as well as social reintegration of public structures.

- **Measures taken to prevent children from being arbitrarily deprived of their freedom**

The CPC stipulates that a child under 15 may not be remanded in custody (Article 106), may be remanded if he/she is above 15 and if there are serious clues indicating that he/she is guilty (Article 106) but parents should be informed (Article 105) and the child must be kept separated from adults (Article 107). A minor offender above 13 years of age may not be held in a detention centre, save in exceptional circumstances and in that case, he/she shall be detained in special wards for minors (Article 108).

However, these provisions are not scrupulously applied for numerous reasons: difficulty to contact parents or guardians, lack of premises for minors.

At the level of proceedings, the matter is closed and there is recourse to criminal mediation.

At the level of punishment, there is sentence to community work and suspended sentence.

- **Measures designed to prevent asylum seekers and refugees from being deprived of their freedom**

Law No. 98-040 of 20 July 1998 on the status of refugees has made provision for an enabling decree. This decree which is No. 98-354 PRM of 28 October 1998 sets up the National Commission in charge of Refugees. One of the main tasks of this body is to ensure the protection of refugees.

In accordance with its powers, the commission ensures that no body with a refugee status and seeking asylum is arrested or incarcerated.

- . Number of children deprived of freedom

According to the 2004 Report published by the *Centre National de Documentation et d'Information sur la Femme et l'Enfant* (National Women and Children Documentation and Information Centre on the situation of Malian children), 72 children were subject to committal orders and 44 to committal to custody in 2003 at the *Centre de Bollé* (2003 Activity Report CSDR Bollé Minors).

- Treatment guarantees for children deprived of their freedom and measures taken to ensure that the child deprived of freedom is separated from adults, remains in contact with his/her family, benefits from health care and education.

According to Article 108 of CPC, the juvenile delinquent shall be detained in a special wing and separated from other detainees at night.

The minor shall be entitled to adequate health care services, social welfare services, education and protection.

Article 109 stipulates that every person who breaches these provisions shall be liable to administrative sanctions.

- Right to a speedy access to legal assistance

Under Article 104 of CPC, once a minor offender is arrested, he/she shall be immediately informed of the reasons having prompted his arrest, of his/her entitlement to legal assistance, to the presence of a parent or guardian.

- Sentencing of juvenile offenders, especially prohibition of capital punishment and life imprisonment.

The law on juvenile delinquency in Article 50 stipulates that a minor above 13 and below 18 who has acted in good judgement:

1. may be sentenced to from 10 (ten) to 20 (twenty) years imprisonment if he/she is liable to the death penalty or life imprisonment.
2. may be sentenced to a period at least equal to half of the term that he would have served if he/she had reached the majority of 18 years, if he/she is liable to time-based imprisonment.

It emerges from the analysis of Article 50 of the Law on juvenile delinquency that capital punishment and life imprisonment are ruled out whenever a minor offender is concerned.

- Physical and psychological rehabilitation and social reintegration (Article 39)

Measures in force in Mali on physical and psychological rehabilitation on the one hand and social reintegration on the other hand, mainly deal with:

- admonition ;
- return of minors to parental care ;
- entrusting the juvenile to an institution ;
- placing of minors in a hospital or a special school;
- probation for the minor, and community work for the child below 16 to 18 years.

These measures are generally preferred to criminal sentencing. Their purpose is to contribute to the correction of the child's unacceptable behaviour.

As concerns the provision of physical and psychological rehabilitation and social reintegration, there is a legal void relating to the definition of the role of government, other stake holders, and standards of the assistance and follow up and control mechanisms. However, this assistance is partially carried out as a matter of fact. The development of structures specialized in assisting minors is incumbent on associations, NGOs and foundations supported by the government as well as technical and financial partners. There are 32 reception and orientation, accommodation and informal education centres⁷ which assist more than 6101 children in a bid to see through their physical and psychological rehabilitation and social reintegration. The commitment of the civil society is limited by its lack of professionalism and its dependence on foreign financing affects the efficiency of its role as children's rights watch dog.

Despite the fact that assistance to the child is organised and provided for in articles 19, 20 and 21 of the new law on juvenile delinquency, its application is still doubtful because of inadequate independent control and follow up mechanisms, lack of awareness of the population and professionals, insufficient courts and judges for juveniles (11 judges in 2001), inadequacy and non functionality of juvenile courts, and the non inexistence of specialized detention centres in the regions. It is still difficult to assess the impact of efforts geared at physical and psychological rehabilitation and social reintegration implemented by the Malian government.

d) Children subjected to exploitation, and their physical and psychological rehabilitation and social reintegration.

Economic exploitation and child labour (Article 15)

In Mali, child labour is governed by:

- Law No. 92/020 of 23 September 1992 on the Labour Code.
- Decree No. 96/178P/RM of 13 June 1996 to lay down the modalities of implementation of this law and application of provisions of the labour code.
- Ordinance No. 02-062/P- RM of 5 June 2002, on the Child Protection Code.
- Conventions 138 concerning minimum age for admission to employment in 2002 and 182 on the worst forms of child labour in 2000.

- Definition of activities considered as bearing risks or likely to undermine the child's schooling or damage his/her health or development.

⁷ - Annex: List of NGOs, Associations and Structures ;

The Labour Code addresses these activities in its enabling decrees through the following articles:

Article D.189 – 21 : It is forbidden to employ children in the making, handling and sale of written and printed works, posters, drawings, engraving, paintings, emblems, images or other objects whose sales, offer, exhibition, posting up or distribution are likely to harm their morals or exert a negative influence on them.

Article D. 189 – 28:

It is prohibited to employ children in the use and handling of explosives.

Article D. 189 – 30:

It is prohibited to employ children below 16 in public representations organized in theatres, cinema halls, cafés, concerts or circuses, for perilous feat or contortions.

Actions carried out against child labour:

Information and aware raising campaigns as well as education were conducted on the following actions:

- Choosing the fight against child labour as the theme for the 2004/05 back to school, as well as the teaching of a model lesson based on the theme at the level of basic education the first day of the resumption of the school year;

- Withdrawing, reintegrating, rehabilitation and formal education of children working at the level of the informal economy;

- During the celebrations of the international day for the fight against child labour, working children were given the opportunity to air concerns which they deemed appropriate and where emphasis ought to be laid in a bid to combat the worst forms of child labour.

On the occasion of the Africa Cup of Nations Mali 2002, an awareness-raising and information campaign on the living conditions of working children dubbed “**Red card to child labour**” was organised.

This campaign was launched on the occasion of the 23rd edition of the Africa Cup of Nations organized in Mali in January 2002. This football competition was organised in collaboration with the Confederation of African Football (CAF) and the Organizing Committee of the Africa Cup of Nations (COCAN), and during the event, a far reaching campaign of awareness-raising against the worst forms of child labour took place. This campaign was aimed at taking advantage of the CAN 2002 to heighten the awareness of and rally the general public on this reality and the fundamental principles in Convention No. 182. This campaign led to the following results:

- Large-scale awareness of all the strata of the population, including political authorities, journalists, civil servants from various public services. More than 2 million Malians directly or indirectly took part in the event.

- During the campaign the opportunity was given to working children to express the concerns that they deemed appropriate and on which emphasis ought to be laid in a bid to combat the worst forms of child labour.

- Henceforth, the red card concept shall be used during all sporting activities in the country, in order to support activities in the field.

As part of the ILO/IPEC project, the Minister of Labour and Public Service and the Minister of Promotion of Women, Children and the Family signed in Bamako an international appeal to support the prohibition of child labour.

Through this initiative, the two ministers pledged to support the « Red card to child labour » campaign on behalf of the government, to apply conventions No. 138 and No. 182 of ILO and to draw the attention of the international Community on the issue of child labour.

Thus, in 2003, the ILO/IPEC, in collaboration with the Ministry of National Education and the teachers' trade union launched a new initiative based on education and social mobilisation against child labour referred to as "SCREAM" Halt Child Labour! The aim of this campaign was to help the educators across the world to increase the understanding and awareness of youths in the face of child labour.

The SCREAM initiative and the template lessons acknowledge that the school is and remains the first bulwark against early employment and the better possible alternative with regard to the socio economic integration of children withdrawn from the worst forms of labour.

The SIMPOC Programme (**Statistical Information and Monitoring Programme on Child Labour**) for Mali has started. Its aims are as follows:

- to collect, use and circulate quantitative and qualitative data which help to analyse the scope, distribution, characteristics, causes and consequences of child labour ;
- to establish a basis for the analysis of data on child labour with the purpose of planning, defining, and executing multi-sectoral integrated interventions of the monitoring and evaluation of the impact of policies and programmes.

It is worth noting that in 2004, Mali's government set up a « Child and Labour » unit within the Ministry in charge of Labour, for a better coordination and evaluation of activities related to the fight against child labour. Measures are envisaged for the creation in 2007 of a task force to combat child labour within the same ministerial department.

With respect to data, it should be noted that:

- the number of children directly benefiting from the programme of action stood at 7 011 that is 2804 boys and 4207 girls;
- the number of children having benefited from the programme indirectly stood at 25 000 with more than 60% of girls;
- the number of children affected by public awareness campaigns was about 25 000.

In spite of the Government of Mali's efforts to shed more light on child labour, increase the awareness of national stakeholders, carry out more actions to withdraw children from child labour and reintegrate them, in some quarters especially in the rural areas, people are hardly accepting to spare children of some painful and dangerous activities. Thus efforts have to be made in the methodological approach as well as geographic and sectoral coverage. In a bid to address these inadequacies, Mali with the support of the SIMPOC Programme intends to carry out more comprehensive surveys covering the whole country, based on new field survey methodologies developed by ILO in order to present dependable and up-dated information on child labour in Mali.

Since 2002, Mali has also been benefiting from the «Support Project on the Implementation of the ILO Declaration relating to the Fundamental Principles and Rights at Work. «(PAMODEC MALI)

Its aim is to help States which so request to improve in their respective countries the application of fundamental ILO conventions and consequently the implementation of international labour standards.

This project helped to improve knowledge on ILO conventions on child labour.

The start in Mali of a support programme for the preparation of the programme with a timeframe for the eradication of the ILO worst forms of child labour (TBP- Mali) whose aim is to contribute to the elimination of the worst forms of child labour (WFCL) and the gradual abolition of all forms of child labour in Mali.

Lastly, Mali is a member of the organisation for the harmonisation of business law in Africa (OHADA) set up in 1993 by the Port-Louis treaty whose article 2 is explicitly aimed at labour law, especially the elimination of all forms of forced or obligatory labour, the effective abolition of child labour, the elimination of discrimination in employment and occupation.

However, this instrument has not been used as a legal argument for the fight against child labour.

- Minimum age for admission to employment and appropriate measures for its effective implementation

The minimum age for admission to employment is set at 14 years in Mali under the Labour Code. However, following the ratification by Mali of ILO convention No. 138 on the minimum age, this age has to be set at 15 for the purpose of consistency with the provisions of the said convention. The Labour Code in article L 185 stipulates that « In all types of institutions, it shall be prohibited to employ children under 18 years old, irrespective of their sex, in works above their strengths, presenting hazardous causes, or likely to injure their morals, by their nature and conditions under which they are carried out.»

The same Labour Code prohibits:

- Night child labour in industries;
- The employment of children in enterprises (even as apprentices) before the age of 14;
- The employment of children in effective work of more than 8 hours a day;
- Night work for children under 18 between 9 pm and 5 am;
- The employment of children during recognized and legal public holidays, even for arranging the work shop ;
- The employment of children of both sexes placed in apprenticeship on Sundays.

Similarly, the CPC in article 20 states that every child shall have the right to:

- Attend school for a minimum period of 9 years;
- Employment from 15 years in accordance with the relevant provisions of the Labour Code and its subsequent texts.

However, it is worth noting that the application of these provisions is not easy, considering the economic and socio-cultural realities. Moreover, provisions of the Labour Code are only applicable in the formal sector, whereas the majority of the

children who work operate in the informal sector of the national economy. This accounts for the absence of appropriate sanctions in this domain.

- International Conventions and other applicable instruments, national prevention policies, cooperation programmes and coordination and follow-up mechanisms.

Mali has ratified two ILO fundamental conventions in this field notably:

- Convention No. 138 relating to the minimum age for admission to employment ratified in 2002;
- Convention No. 182 on the worst forms of child labour, ratified in 2000.

The implementation of these two conventions is done within the frame work of ILO/IPEC National Programme for the Fight Against Child Labour – There is a Steering Committee of the programme which brings together 12 government departments, 8 associations and NGOs, the COMADE and United Nations agencies. This Steering Committee meets quarterly. It validates any programme or project carried out in accordance with the national programme. It coordinates activities of the Committee.

As part of Mali-United States co-operation, a programme for the fight against the economic exploitation of children and child trafficking has been implemented since 2003 by World Vision and Care International in the Ségou and Mopti regions, as well as the Bamako district.

WINROCK an international NGO has been carrying out its programme in the Sikasso and Ségou regions since 2004.

A national survey on the child labour phenomenon in Mali was conducted and its results were validated by a council of ministers.

- Measures against the illicit use of narcotics and psychotropic substances

Law No. 01-078 of 18 July 2001 on drugs and precursors control provides for the prohibition of the former and latter. Whoever is found guilty of supplying substances qualified as drugs and precursors to a minor is liable to a fine and a prison sentence. It should be recalled that this 2001 law adopts the various tables of products appended to the United Nations Conventions of 1961 on narcotics, 1971 on narcotics and psychotropic substances and that of 1988 on the illicit trafficking of drugs and precursors.

This law of 2001 was drawn up in accordance with the relevant provisions of the United Nations conventions cited in point 156. It replaced and up dated Law No. 83-94 AN-RM of 1st September 1983 on the repression of offences relating to toxic and narcotic substances.

The NGO Caritas has opened a community centre in the rural area (30 km from Bamako) designed to host children who drug themselves. The mission of this centre is to cure children and train them in agricultural and livestock activities. About 30 children have been assisted.

Since 1996, a National Anti Drug Commission was set up. It participates in the drawing up of the national policy in this area and prepares government's decisions in the fight against the production, trafficking, and consumption of drugs both at the national and international level and; on the whole it deals with any issue relating to the control of drug

addiction. Furthermore, it is responsible for the co-ordination of actions of various government services in narcotics and psychotropic substances. This National Commission often benefits from the technical assistance of the United Nations Drug Control Programme (UNDCP).

- Measures designed to prevent children from consuming alcohol, tobacco and other

With regard to tobacco addiction, the government has adopted a decree banning smoking in public places and limiting advertisement on tobacco. There exists an association called « SOS tabagisme » (SOS Tobacco Addiction) which has been carrying out information and public awareness campaigns on the harmful effects of tobacco while encouraging people to stop smoking.

Concerning alcohol consumption, it is prohibited for any bar or off-licence owner or manager to sell alcoholic drinks to a minor.

3. Sexual exploitation and abuse (Article 27)

Measures to protect against children sexual exploitation and violence are guaranteed by:

- The Child Protection Code notably in articles 32, 33, 35, 50, 56 and 57;
- Law No. 01-079 of 20 August 2001 on the Penal Code in articles 226, 227, 228 and 229.

Under the CPC, delegates to the protection of the child, public prosecutors, juvenile courts as well as officers of the Criminal Investigation department each in their spheres of competence protect children victim of sexual violence and exploitation.

Information and public awareness campaigns have been organized for public service employees (magistrates, police officers, gendarmes..., community leaders (quarter heads), religious authorities (Moslems, Christians) and civil society members (modern and traditional communicators, associations and NGOs involved in children related issues on:

- CRC;
- ACRWC;
- CPC.

4. Child sale, trafficking and abduction (Article 29)

With regard to child trafficking, Mali has established a 2000-2001 emergency national plan and a 2002-2006 national anti child trafficking plan. These commitments were translated by a reduction of trafficking and better public awareness on child trafficking as flagrant violation of human rights. The following could be considered as achievements:

Knowledge of the phenomenon of trans-border trafficking of children

- Between October 1999 and February 2000, the Minister of the Promotion of Women, Children and the Family and UNICEF conducted a prospective survey in the Sikasso, Ségou and Mopti regions with the technical assistance of Save the Children Canada and Anti Slavery International of London;
- Two research studies conducted by IPEC/ILO and *Terres des Hommes* Germany have contributed to improve the awareness on the phenomenon;
- The special repatriation plan established also enabled the participants concerned to understand the shape of the new dimension of their work;

- The drawing up and implementation of the 2000-2001 National Emergency Plan for the Fight against Trans-border Trafficking of Children.
- After adopting the 2000 Libreville Common Plan of Action, the Mali Government decided to draw up an emergency plan of action to fight child trafficking;
A restricted inter-ministerial committee of 8 ministers was appointed to support the Ministry of the Promotion of Women, Children and the Family:
The Minister of the Promotion of Women, Children and the Family;
The Minister of Social Development, Solidarity and Elderly Persons
The Minister of Employment and Vocational Training
The Minister of Justice, Keeper of the Seals
The Minister of Communication
The Minister of Territorial Administration and Local Government
The Minister of Security and Civil Protection
The Minister of Foreign Affairs and Malians Living Abroad.

The national plan of action to fight child trafficking was adopted by the Council of Ministers of 26 May 2000.

Some achievements:

International cooperation in the fight against child trafficking:

- Signing of a co-operation agreement with the Republic of Côte d'Ivoire on the fight against trans-border child trafficking at Bouaké on 1st September 2000;
- Signing of a co-operation agreement with Burkina Faso on the fight against trans-border child trafficking on 25 June 2004 ;
- Signing of a co-operation agreement with the Republic of Senegal on 22 July 2004 on the fight against trans-border child trafficking.
- Signing of a co-operation agreement with the la Republic of Guinea on 16 June 2005 on the fight against trans-border child trafficking.
- Signing of a multilateral co-operation agreement on the fight against child trafficking in West Africa on 27 July 2005;
- Signing of a multilateral cooperation agreement to combat trafficking in persons especially women and children in West and Central Africa on 6 July 2006 ;
- Surveillance of borders through the establishment of joint patrols of mobile police units at the borders with Burkina Faso, Côte d'Ivoire and Senegal and through the creation of 130 community surveillance structures.
- Continuation of the process to repatriate and intercept child trafficking victims,

Co-operation at the national level in the fight against child trafficking:

- Signing of a memorandum of understanding between Save the Children Canada and the Drivers' Union of Sikasso town with the purpose of combating child trafficking ;
- Establishment and strengthening the capacity of 394 community surveillance structures (SCS) in the Koulikoro, Sikasso, Ségou and Mopti regions.
- In average 1500 community workers also known as "brigadiers communautaires" are busy trying to:
 - identify children likely to fall prey to trafficking as well as possible child traffickers;
 - tip off security services on the activities of suspected child traffickers;
 - inform parents and children on travelling modalities abroad (official travelling documents).

Advocacy and Public Awareness – Communication

- Information Education Communication Campaigns are organized in all the relevant regions during the celebration of special events (Day of the African Child, International Day of the Child, International Radio and Television Day for the Child, etc.);
- Production and broadcasting of an audio visual documentary by ORTM ;
- Production of bill posters (big posters, notice boards, banners...);
- Press conferences by some NGOs (AEC, Soroptimists);
- Advocacy (visit by the President of “ la Fondation partage” to Sikasso) ;
- Public Awareness and Advocacc Days for Members of Parliament and Members of the Economic Social and Cultural Council ;
- Training of journalists;
- Newspaper articles and independent reports by the national and international media;
- Production of songs (audio cassettes and video clip)
- Big notice board put up in the Bamako district ;
- Production of « *Top Etoile* » programmes;
- Production and circulation of 500 leaflets.

Legal and administrative mechanisms

As part of the implementation of the plan of action to combat child trafficking, many international conventions were ratified while the legal and administrative machinery was harmonized with the said conventions.

Ratification of the following international conventions:

- ILO Convention No182 on the prohibition and immediate action for the elimination of the worst forms of child labour;
- ILO Convention No138 on the minimum age for admission to employment;
- Hague Convention on the protection of children and co-operation in international adoption;
- Optional protocol to the convention on the rights of the child, concerning the involvement of children in armed conflict, on the one hand, and the Sale of Children, Child Prostitution and Child Pornography, on the other hand, adopted by the United Nations General Assembly on 25 May 2000.
- United Nations Convention against trans-national organized crimes and the supplementary protocol to prevent, suppress and punish trafficking in persons, especially women and children;

At the national level, the legal and administrative machinery concerns:

- The criminalisation of child trafficking in the new Penal Code (Article 244 changing the punishment from 5 to 20 years imprisonment and the payment of fines by any person guilty of child trafficking);
- The passing of a decree to institute the air ticket in lieu of exit permission to children from 0 to 18 years and its enabling decree;
- The adoption of the Child Protection Code (Ord. 02-062 /P.RM of 5 June 2002).
- The development of the strategic plan for child promotion 2002-2006 comprising the national policy and the plan of action for child promotion.

Rehabilitation and reintegration of child trafficking victims

- Children returned to their families: 100 % of repatriated children joined their families;
- Establishment of 4 reception and transit centres for children victim of child trafficking at Sikasso, Ségou and Mopti by partners NGOs: SAVE THE CHILDREN CANADA, MALI ENJEU ;
- Training of Government Services and NGO in child assistance techniques;
- Joint reintegration and rehabilitation programme for children victim of child trafficking carried out by the International Organisation for Migration as execution agency. This project has been benefiting from funding from the Government of Mali, UNICEF and ILO.

Coordination and follow up of activities

- Establishment of the National Committee for the follow up of programmes to combat child trafficking and its field structures at the regional and local levels on 08 September 2006.

The mission of the Committee is as follows:

- a) To implement and monitor programmes relating to child trafficking in Mali;
- b) To assess actions carried out in accordance with the implementation of programmes relating to the fight against child trafficking in Mali;
- c) To mobilise the necessary resources for the implementation of anti child trafficking programmes in Mali;
- d) To develop technical and financial partnership strategies to ensure the effective operation of the programmes;
- e) To follow up the implementation of co-operation agreements in the fight against child trafficking signed by Mali ;
- f) To suggest a solution to problems confronting stake holders in the fight against child trafficking;
- g) To capitalise experiences in the fight against the phenomenon of child trafficking and assistance to children;
- h) To produce reports on the status of implementation of programmes relating to the fight against child trafficking in Mali.

Six follow-up meetings to monitor bilateral and multilateral agreements were organised during the period under review.

TABLE 43: PARTNERS IN THE FIGHT AGAINST CHILD TRAFFICKING

Under the partnership and in order to harness efforts, the following programmes and projects were drawn up with the support of the National Directorate for the Promotion of Children and the Family.

Programme for the Protection of children against all forms of violence, abuse, exploitation and negligence 2003-2007 Programme for the Promotion of a culture of rights 2003-2007	Mali-UNICEF Co-operation Programme 2003- 2007
Project against child trafficking	<i>Terre des Hommes</i> Germany- Mali-Enjeu
Project to reintegrate children victim of child trafficking	UNICEF- IOM- Mali-Enjeu
Sub-regional anti child trafficking project	Save the Children Canada
Project to fight child trafficking through education	<i>Vision mondiale and Care Mali</i>
Project to fight child trafficking through the media (radio series)	Population Media Centre
Project to fight child trafficking through education (CIRCLE)	Winwork International
Project to combat national and trans-national children beggary	Fondation pour l'Enfance
National Programme for the fight against child labour	IPEC/ILO
Sub-regional project to fight against child trafficking in West and Central Africa (LUTRENA)	IPEC/ILO
Programme to combat the worst forms of child labour with a time frame	IPEC/ILO
Programme to support the prevention, withdrawal and reintegration of children victim of the worst forms of labour in the informal sector of the urban economy	IPEC/ILO- Mali-Enjeu
Programme to promote coranic students	ECPAT Luxembourg- Mali-Enjeu
Public awareness, lobbying, advocacy	Coalition of African NGOs working for children
Public awareness, lobbying, advocacy	Malian Coalition for the rights of the child
Support to return and reintegrate victims of child trafficking programmes	International Organisation for Migrations
Programme to fight trafficking in persons	UNESCO

Building the capacity of service providers

Training sessions were organized for various stakeholders (80 army and security officers) through the payment of transport fares.

In 2003, 3 (three) information and awareness workshops were organized for State employees in Bamako and in Mopti on the national and international legal framework relating to the fight against child trafficking in collaboration with IPEC/ILO/LUTRENA.

Promotion of the rights of teenagers

The project to promote the rights of teenagers is an innovation under the integrated development programme of the United Nations system. In partnership with UNICEF, UNFPA and UNDP, the government has developed this initiative which aims at promoting the rights of teenagers, a vulnerable group that is quite significant by its numerical strength among young people below the age of 18. The project, amongst other things, seeks to:

- inform and raise public awareness (themes chosen according to the peculiarities of each socio-cultural environment) in ARH and risks related to early marriage ;
- carry out civic training, lobbying and set up internal and external networks of migrating girls;
- introduce micro-finance to literate migrating girls;
- inform/train migrating girls on their rights (especially family right and labour right) so that they can in turn assist their counterparts in their environment.

Results:

The adolescent component was taken into consideration with the continuation of the implementation of the project to develop the rights of female adolescents and encourage their participation in the milieu (PDAP).

Besides the permanent organisation of literacy sessions for 4000 migrating and marginalized female adolescents, 386 community workers were trained in reproductive health, lobbying and citizenship and they later took refresher courses. Information and public awareness sessions were conducted on RH in literacy centres. The first Adolescent Day held in San brought together more than 800 people including about 500 female adolescents from all the regions of the country. As part of activities to mark the month for the fight against HIV/AIDS (Dec. 2003), information activities on the pandemic were organized with all the female adolescents in all the regions. .

An Integrated Vision for the Adolescent Girl (VIDA) was defined and is expected to help decision makers to integrate the rights of adolescent girls in decision making. .

The trainings⁸ involved security and social workers working with children (30), magistrates, youth leaders responsible for audio production (414), community radio managers (51), artists (45 comedians and 10 griots), public service workers (30: health, education, water and sanitation) and trainers on the CRC (18).

In spite of these trainings and public awareness, the popularization of children rights did not yield the expected results amongst the people. A vast majority of the population, including officials do not know these conventions and other relevant treaties. This poses a certain number of problems including, the focus of attention of the trainings on the urban milieu and professionals, the absence of a follow-up plan for people trained, the negligence of genuine stakeholders like parents and children in the training programmes and lastly the relevance of the training strategies.

5. Other forms of exploitation

The Malian law through the new Penal Code provides broad protection for any child victim of exploitation. This Code protects the juvenile against the incitation to beggary (article 183), the girl or woman against debauchery and procuring (article 229), children under 13 against paedophilia (article 228) and children under 15 against indecent assault (article 225), rape (article 226) and abduction (article 241). It provides for heavy sentences of from 5 to 20 years imprisonment for people found guilty of perpetrating such crimes.

⁸ Source: 1992-2000 – July 2001 Evaluation Report of the PAN

Beggary:

Activities carried out as part of the fight against beggary include:

- a study on koranic schools and pupils in the Bamako district conducted by Mali Enjeu in 1999. This study revealed that there were 1404 children (boys) below 18 who were forced to recourse to beggary to feed and clothed themselves in order to continue their coranic education;
- the training of coranic teachers on the Code on the Rights of the Child with respect to beggary (Bamako, Ségou, Sikasso and Mopti) by Mali-Enjeu;
- The training of coranic pupils in a trade by Mali-Enjeu.

22. Furthermore, party States are encouraged to provide any specific statistical information and indicators concerning children referred to in paragraph 21.

There are no systematized data relating to child sexual abuse. However, Letter No. 1017/MSIPC-SG of 21 June 2005, records offences against public decency in the Bamako District. Thus, from 1st January to 31/03/ 2005, 3 children under 10 years old and 6 children under 13 were victims of paedophilia, 5 girls under 15 were victims of rape, 2 girls below 15 were victims of gang rape, and 10 girls below 15 were victims of offences against public decency. These few cases registered are just the tip of the iceberg.

TABLE 44: MALIAN CHILDREN VICTIMS OF CHILD TRAFFICKING INTERCEPTED OR REPATRIATED

Years	Malian children victims of Child trafficking repatriated			Malian children subjected to trafficking intercepted in Mali and returned to their homes			Total
	Number/Sex		S/Tot	Number/Sex		S/Tot	
	F	G		F	G		
2000	35	93	128	28	65	93	221
2001	25	84	109	75	104	179	288
2002	28	67	95	30	113	143	238
2003	19	58	77	32	76	108	185
2004	12	44	56	39	73	112	168
2005	19	48	67	25	66	91	158
2006	11	32	43	27	49	76	119
June 2007	05	21	26	06	07	13	39
General Total	154	447	601	262	553	815	1416

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TABLE 45: CHILDREN OF OTHER NATIONALITIES VICTIMS OF TRAFFICKING INTERCEPTED IN MALI AND REPATRIATED TO THEIR RESPECTIVE COUNTRIES

Years	Children of other nationalities victim of trafficking in Mali intercepted and repatriated to their respective countries

	Number/Sex		S/Tot
	F	G	
2006	09	48	57
June 2007	06	63	69
General Total	15	111	126

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TABLE 46: LIST OF COMMUNITY STRUCTURES MONITORING THE FIGHT AGAINST CHILD TRAFFICKING

No.	Region	Circle	Sub-Circle	Council	Village
1	Koulikoro	Dioila	Béléko	Diédougou	Béléko-Soba
2	Koulikoro	Dioila	Fana	Guégnéka	Fana
3	Koulikoro	Dioila	Fana	Nangola	Bélékou
4	Koulikoro	Dioila	Ména	N'dlondougou	Ména
5	Koulikoro	Kati	Ouélessébougou	Ouélessébougou	Ouélessébougou
6	Koulikoro	Kati	Sanankoroba	Dialakoroba	Dialakoroba
7	Koulikoro	Nara	Balle	Dogofry	Balle
8	Koulikoro	Nara	Dilly	Dilly	Dilly
9	Koulikoro	Dioila	Massigui	Massigui	Massigui
10	Koulikoro				DIEBE
11	Koulikoro				GNANDJILA
12	Mopti	Bandiagara	Bandiagara-Central	Bandiagara	Bandiagara
13	Mopti	Bandiagara	Goundaka	Pignari Bana	Ningari
14	Mopti	Bandiagara	Kani-Gogouna	Wadouba	Kani-Gogouna
15	Mopti	Bandiagara	Kendiè	Kendiè	Kendiè
16	Mopti	Bandiagara	Ouo	Pignari	Pa
17	Mopti	Bandiagara	Ouo	Bara Sara	Eguèla
18	Mopti	Bandiagara	Ouo	Bara Sara	Nomono
19	Mopti	Bandiagara	Ouo	Bara Sara	Garoulèye
20	Mopti	Bandiagara	Ouo	Bara Sara	Fangadougou
21	Mopti	Bandiagara	Ouo	Bara Sara	Ouo
22	Mopti	Bandiagara	Sangha	Sangha	Sangha Bongo
23	Mopti	Bandiagara	Sangha	Sangha	Kamba
24	Mopti	Bandiagara	Sangha	Sangha	Sangha Enguèlè
25	Mopti	Bandiagara	Sangha	Sangha	Yendouma
26	Mopti	Bandiagara	Sangha	Sangha	Sangha Ogoley
27	Mopti	Bandiagara	Sangha	Sangha	Amani
28	Mopti	Bandiagara	Sangha	Sangha	Ibi
29	Mopti	Bandiagara	Sangha	Sangha	Kamasende
30	Mopti	Bandiagara	Sangha	Sangha	Tirely
31	Mopti	Bandiagara	Sangha	Sangha	Irely
32	Mopti	Bandiagara			TEGOU
33	Mopti	Bandiagara			WADOUBA
34	Mopti	Bankass	Bankass-Central	Bankass	Bankass
35	Mopti	Bankass	Bankass-Central	Bankass	Sokoura
36	Mopti	Bankass	Diallassagou	Koulogon	Koulogon
37	Mopti	Bankass	Diallassagou	Koulogon	Minima Kanda
38	Mopti	Bankass	Diallassagou	Koulogon	Siratintin
39	Mopti	Bankass	Diallassagou	Koulogon	Sogossin

No.	Region	Circle	Sub-Circle	Council	Village
40	Mopti	Bankass	Diallassagou	Koulogon	Koulogon Habe
41	Mopti	Bankass	Diallassagou	Koulogon	Erdiana
42	Mopti	Bankass	Diallassagou	Koulogon	Sinssagou
43	Mopti	Bankass	Diallassagou	Diallassagou	Diallassagou
44	Mopti	Bankass	Diallassagou	Tori	Tori
45	Mopti	Bankass	Diallassagou	Diallassagou	Nene
46	Mopti	Bankass	Diallassagou	Diallassagou	Yalema
47	Mopti	Bankass	Diallassagou	Diallassagou	Mougue
48	Mopti	Bankass	Diallassagou	Diallassagou	Deguessagou
49	Mopti	Bankass	Diallassagou	Diallassagou	Doukoro
50	Mopti	Bankass	Kani-Bonzon	Dimbal Habbe	Dimbal-Habbe
51	Mopti	Bankass	Kani-Bonzon	Dimbal Habbe	Dimbal-Peulh
52	Mopti	Bankass	Kani-Bonzon	Kani Bonzon	Kani-Bonzo
53	Mopti	Bankass	Ouenkoro	Ouenkoro	Lema
54	Mopti	Bankass	Ouenkoro	Ouenkoro	Nion
55	Mopti	Bankass	Ouenkoro	Ouenkoro	Peh
56	Mopti	Bankass	Ouenkoro	Ouenkoro	Ouenkoro
57	Mopti	Bankass	Ouenkoro	Ouenkoro	Sankoro
58	Mopti	Bankass	Ouenkoro	Ouenkoro	Bankoma
59	Mopti	Bankass	Séguè	Séguè	Séguè
60	Mopti	Bankass	Séguè	Séguè	Orossogou
61	Mopti	Bankass	Séguè	Séguè	Dounde
62	Mopti	Bankass	Séguè	Séguè	Koulou
63	Mopti	Bankass	Séguè	Séguè	Yeleu
64	Mopti	Bankass	Séguè	Séguè	Djinandjo
65	Mopti	Bankass	Sokoura	Sokoura	Sokoura
66	Mopti	Djenné	Djenné-Central	Djenné	Djenné
67	Mopti	Douentza	Bore	Koubewel Koundia	Koira Beri
68	Mopti	Douentza	Douentza-Central	Douentza	Douentza
69	Mopti	Douentza	Douentza-Central	Pétaka	Dansa
70	Mopti	Douentza	Douentza-Central	Koubewel Koundia	Koubewel
71	Mopti	Douentza	Douentza-Central	Pétaka	Pétaka
72	Mopti	Koro	Diankabou	Diankabou	Diankabou
73	Mopti	Koro	Diankabou	Diankabou	Soye
74	Mopti	Koro	Diankabou	Diankabou	Gondo Ogourou
75	Mopti	Koro	Diankabou	Diankabou	N'guiroga
76	Mopti	Koro	Diankabou	Diankabou	Tan Koule
77	Mopti	Koro	Diankabou	Diankabou	Endem
78	Mopti	Koro	Dinangourou	Dinangourou	Tonu
79	Mopti	Koro	Dinangourou	Dinangourou	Yeremdourou
80	Mopti	Koro	Dinangourou	Dinangourou	Guessere
81	Mopti	Koro	Dinangourou	Dinangourou	Sari
82	Mopti	Koro	Dinangourou	Dinangourou	Koba
83	Mopti	Koro	Dinangourou	Dinangourou	Guimini
84	Mopti	Koro	Dinangourou	Dinangourou	Bangadie
85	Mopti	Koro	Dinangourou	Dinangourou	Omo
86	Mopti	Koro	Dinangourou	Dinangourou	Gangafani I
87	Mopti	Koro	Dinangourou	Dinangourou	Kassawan
88	Mopti	Koro	Dinangourou	Dinangourou	Akoumbourou
89	Mopti	Koro	Dinangourou	Dinangourou	Douari
90	Mopti	Koro	Dinangourou	Dinangourou	Sangana
91	Mopti	Koro	Dinangourou	Dinangourou	Dinangourou

No.	Region	Circle	Sub-Circle	Council	Village
92	Mopti	Koro	Dinangourou	Yoro	Yoro
93	Mopti	Koro	Dioungani	Dioungani	Dioungani-Dogon
94	Mopti	Koro	Dioungani	Dioungani	Dioungani-Peulh
95	Mopti	Koro	Koro	Youdiou	Youdiou
96	Mopti	Koro	Koro	Youdiou	Ogodengou
97	Mopti	Koro	Koro	Youdiou	Souan
98	Mopti	Koro	Koro	Youdiou	Oropa
99	Mopti	Koro	Koro	Youdiou	Patin
100	Mopti	Koro	Koro	Youdiou	Ogodourou Nah
101	Mopti	Koro	Koro	Koro	Pomorodiodiou
102	Mopti	Koro	Koro	Koro	Sinsahin
103	Mopti	Koro	Koro	Koro	Kini-Ourodourou
104	Mopti	Koro	Koro	Koro	Kiri
105	Mopti	Koro	Koro	Koro	Yadianga
106	Mopti	Koro	Koro	Koro	Sana
107	Mopti	Koro	Koro-Central	Youdiou	Youdiou
108	Mopti	Koro	Koro-Central	Koro	Koro
109	Mopti	Koro	Madougou	Madougou	Madougou-Dogon
110	Mopti	Koro	Madougou	Madougou	Madougou-Peulh
111	Mopti	Koro			BAMBAN
112	Ségou	Baraouèli	Baraouèli	Baraouèli	Baraouèli
113	Ségou	Baraouèli	Tamani	Tamani	Tamani
114	Ségou	Baraouèli	Tamani	Boidie	Kamba
115	Ségou	Bla	Bla	Bla	Bla
116	Ségou	Bla	Diaramana	Diaramana	Diaramana
117	Ségou	Bla	Falo	Falo	Falo
118	Ségou	Bla	Falo	Falo	Missala
119	Ségou	Bla	Falo	Falo	N'tola
120	Ségou	Bla	Falo	Falo	Kana
121	Ségou	Bla	Falo	Falo	Niamana
122	Ségou	Bla	Falo	Falo	Mougnana
123	Ségou	Bla	Falo	Falo	Manzona
124	Ségou	Bla	Falo	Falo	Kiegne
125	Ségou	Bla	Falo	Falo	Tienabougou
126	Ségou	Bla	Falo	Falo	Sineni
127	Ségou	Bla	Falo	Falo	Kango
128	Ségou	Bla	Falo	Falo	Kin
129	Ségou	Bla	Falo	Falo	Moghon
130	Ségou	Bla	Falo	Falo	Kala
131	Ségou	Bla	Falo	Falo	Fala
132	Ségou	Bla	Falo	Falo	Binadiana
133	Ségou	Bla	Falo	Falo	Zana
134	Ségou	Bla	Falo	Falo	Zoloma
135	Ségou	Bla	Falo	Falo	Tassoma
136	Ségou	Bla	Touna	Touna	Touna
137	Ségou	Bla	Yangasso	Fani	Faniginesso
138	Ségou	Bla	Yangasso	Fani	Fagnimarka
139	Ségou	Bla	Yangasso	Fani	Fanigambougou
140	Ségou	Bla	Yangasso	Fani	N'tosso
141	Ségou	Bla	Yangasso	Fani	Tallo Moussasso
142	Ségou	Bla	Yangasso	Fani	Toukoro Marka
143	Ségou	Bla	Yangasso	Fani	Tallo Bozo

No.	Region	Circle	Sub-Circle	Council	Village
144	Ségou	Bla	Yangasso	Fani	Tallo Peul
145	Ségou	Bla	Yangasso	Fani	N'tosso Seribougou
146	Ségou	Bla	Yangasso	Fani	Niabougou Kaniegue
147	Ségou	Bla	Yangasso	Fani	Woloni
148	Ségou	Bla	Yangasso	Fani	Dasso
149	Ségou	Bla	Yangasso	Fani	Ména
150	Ségou	Bla	Yangasso	Fani	Kodie
151	Ségou	Bla	Yangasso	Fani	Diansso Falako
152	Ségou	Bla	Yangasso	Fani	Diansso Sobala
153	Ségou	Bla	Yangasso	Fani	Tonkan
154	Ségou	Bla	Yangasso	Fani	Tallo Bamana
155	Ségou	Bla	Yangasso	Yangasso	Yangasso
156	Ségou	Bla			SOROBALA
157	Ségou	Macina		SARRO	SARRO
158	Ségou	Niono		MOLODO	MOLODO
159	Ségou	Niono		DIABALI	DIABALI
160	Ségou	Niono		DEBOUGOU	DEBOUGOU
161	Ségou	Niono		NIONO	NIONO
162	Ségou	San	San-Central	Niasso	Daelan Secourani
163	Ségou	San	San-Central	Niasso	Daelan Sobala
164	Ségou	San	San-Central	Teneni	Teneni
165	Ségou	San	Sourountouna	Dah	Zamblena Zanse
166	Ségou	San	Ténè	Ténè	Teneni Doni
167	Ségou	San	Ténè	Ténè	Danakuy
168	Ségou	San	Ténè	Ténè	Ténè
169	Ségou	San	Ténè	Ténè	Bamkouma Bobo
170	Ségou	San	Ténè	Ténè	Kirina Danakui
171	Ségou	San	Ténè	Ténè	Kong
172	Ségou	San	Ténè	Ténè	Konguena
173	Ségou	San	Ténè	Ténè	Socourani Sonina
174	Ségou	San	Ténè	Ténè	Konda
175	Ségou	San	Ténè	Ténè	Mansara
176	Ségou	San	Ténè	Ténè	Bora
177	Ségou	San	Ténè	Ténè	Fondonkan
178	Ségou	San	Ténè	Ténè	N'gongnamou
179	Ségou	San	Ténè	Ténè	Konan
180	Ségou	San	Ténè	Dah	Toura Bambara
181	Ségou	San	Ténè	Dah	Fiankasso Nampabougou
182	Ségou	San	Ténè	Dah	Zamblena Zouse
183	Ségou	San	Ténè	Dah	Toura Marka
184	Ségou	San	Ténè	Dah	Noungosso Katala
185	Ségou	San	Ténè	Dah	Kadioloko Kaponon
186	Ségou	San	Ténè	Dah	Tamaro
187	Ségou	San	Ténè	Dah	Dassoumouposso
188	Ségou	San	Ténè	Dah	Dah
189	Ségou	San	Ténè	Dah	Dacoura
190	Ségou	San	Ténè	Dah	Cinzana Bambara
191	Ségou	San	Ténè	Dah	Nampabougou
192	Ségou	San	Ténè	Dah	Cinzara Marka
193	Ségou	San	Ténè	Ténè	Djelesselinsso
194	Ségou	San	Ténè	Djèli	Djeligosso
195	Ségou	San	Ténè	Djèli	Tiomporosso

No.	Region	Circle	Sub-Circle	Council	Village
196	Ségou	San	Ténè	Djèli	Soumbala
197	Ségou	San	Ténè	Djèli	N'gotogosso
198	Ségou	San	Ténè	Djèli	Sama
199	Ségou	San	Ténè	Djèli	Bounoumba Zanso
200	Ségou	San	Ténè	Djèli	Djèli Mpabougou
201	Ségou	San	Ténè	Djèli	Djèli Sikorosso
202	Ségou	San	Ténè	Djèli	Bounoumba Sirakorosso
203	Ségou	San	Ténè	Djèli	Bounoumba Kapala
204	Ségou	San	Ténè	Djèli	M'peresso Katala
205	Ségou	San	Ténè	Djèli	Djelifelenso
206	Ségou	San			TAMALA
207	Ségou	Ségou			SAMINE
208	Ségou	Tominian	Timissa	Timissa	Timissa
209	Sikasso	Bougouni	Manankoro	Sibirila	Manankoro
210	Sikasso	Bougouni	Manankoro	Sibirila	Bamba
211	Sikasso	Bougouni	Manankoro	Yinindougou	Mafele
212	Sikasso	Kadiolo	Kadiolo-Central	Zegoua	Zegoua
213	Sikasso	Kadiolo	Kadiolo-Central	Zegoua	Fanidiana
214	Sikasso	Kadiolo	Kadiolo-Central	Kadiolo	Karagouan
215	Sikasso	Kadiolo	Kadiolo-Central	Kadiolo	Nakono
216	Sikasso	Kadiolo	Kadiolo-Central	Zegoua	Nassoulou
217	Sikasso	Kadiolo	Misseni	Misseni	Misseni
218	Sikasso	Kadiolo	Misseni	Misseni	Pitiangoma
219	Sikasso	Kadiolo	Misseni	Misseni	Deleou
220	Sikasso	Kadiolo	Misseni	Misseni	Dovong
221	Sikasso	Kadiolo	Misseni	Misseni	Kale
222	Sikasso	Kadiolo	Misseni	Misseni	Lougouani
223	Sikasso	Kolondièba	Fakola	Fakola	Fakola
224	Sikasso	Kolondièba	Fakola	Bougoula	Zoha
225	Sikasso	Kolondièba	Fakola	Bougoula	N'gokila
226	Sikasso	Kolondièba	Fakola	Bougoula	Bougoula
227	Sikasso	Kolondièba	Fakola	Farako	Kah
228	Sikasso	Kolondièba	Fakola	Farako	N'godiarala
229	Sikasso	Kolondièba	Fakola	Farako	Soronko
230	Sikasso	Kolondièba	Fakola	Farako	Farako
231	Sikasso	Kolondièba	Fakola	Fakola	Fakola
232	Sikasso	Kolondièba	Fakola	Fakola	Dani
233	Sikasso	Kolondièba	Fakola	Fakola	Sama
234	Sikasso	Kolondièba	Fakola	Fakola	Soromana
235	Sikasso	Kolondièba	Fakola	Fakola	Socourani
236	Sikasso	Kolondièba	Fakola	Fakola	Zeguere
237	Sikasso	Kolondièba	Fakola	Farako	Fountiere
238	Sikasso	Kolondièba	Kadiana	Nangalasso	Tiediougoupougou
239	Sikasso	Kolondièba	Kadiana	Nangalasso	Koni
240	Sikasso	Kolondièba	Kadiana	Nangalasso	Maribabougou
241	Sikasso	Kolondièba	Kadiana	Nangalasso	Fala Ii
242	Sikasso	Kolondièba	Kadiana	Nangalasso	Nangalasso
243	Sikasso	Kolondièba	Kadiana	Kadiana	Gonkoro
244	Sikasso	Kolondièba	Kadiana	Tiongui	Kakoli
245	Sikasso	Kolondièba	Kadiana	Tiongui	Sanakoro Ii
246	Sikasso	Kolondièba	Kadiana	Tiongui	Tiongui
247	Sikasso	Kolondièba	Kadiana	Kadiana	Diendio

No.	Region	Circle	Sub-Circle	Council	Village
248	Sikasso	Kolondièba	Kadiana	Kadiana	Kadiana
249	Sikasso	Kolondièba	Kadiana	Kadiana	Warakana
250	Sikasso	Kolondièba	Kadiana	Kadiana	Debena
251	Sikasso	Kolondièba	Kébila	Kébila	Kébila
252	Sikasso	Kolondièba	Kébila	Kébila	Dialakoroba
253	Sikasso	Kolondièba	Kolondièba-Central	Ména	Bougoula
254	Sikasso	Kolondièba	Kolondièba-Central	Ména	Ména
255	Sikasso	Kolondièba	Kolondièba-Central	N'golodiana	Bladieni
256	Sikasso	Kolondièba	Kolondièba-Central	N'golodiana	Niamou
257	Sikasso	Kolondièba	Kolondièba-Central	N'golodiana	Toutiala
258	Sikasso	Kolondièba	Kolondièba-Central	Kolondièba	Boundioba
259	Sikasso	Kolondièba	Kolondièba-Central	Ména	Farako
260	Sikasso	Kolondièba	Kolondièba-Central	Kolondièba	Kolondièba
261	Sikasso	Kolondièba	Tiongui	Tiongui	N'goufie
262	Sikasso	Kolondièba	Tousséguéla	Kolosso	Diedieni
263	Sikasso	Kolondièba	Tousséguéla	Kolosso	Kolosso
264	Sikasso	Kolondièba	Tousséguéla	Tousséguéla	Tousséguéla
265	Sikasso	Koutiala	Koutiala-Central	Zebala	Zebala
266	Sikasso	Koutiala	Molobala	Kolonigue	Sogo
267	Sikasso	Koutiala	Molobala	Goudie Sougouna	Sanguela
268	Sikasso	Koutiala	Zangasso	Zangasso	Zangasso
269	Sikasso	Koutiala			SOROBASSO
270	Sikasso	Sikasso	Dandéresso	Dandéresso	Zantiguila
271	Sikasso	Sikasso	Dogoni	Dogoni	Dogoni
272	Sikasso	Sikasso	Kignan	Dialakoro	Dialakoro
273	Sikasso	Sikasso	Klela	Gongasso	Tabarako
274	Sikasso	Sikasso	Lobougoula	Lobougoula	Lobougoula
275	Sikasso	Sikasso	Lobougoula	Lobougoula	Sotian
276	Sikasso	Sikasso	N'kourala	Kofan	Kafana
277	Sikasso	Sikasso	N'kourala	Farakala	Farakala 1
278	Sikasso	Sikasso	N'kourala	Farakala	Farakala 2
279	Sikasso	Sikasso	Sikasso-Central	Kaboila	Diassadie
280	Sikasso	Sikasso	Sikasso-Central	Kaboila	N' Dalle
281	Sikasso	Sikasso			Mogoyebougou
282	Sikasso	Sikasso			Nianankorobougou
283	Sikasso	Yanfolila	Filamana	Koussan	Sandougoula
284	Sikasso	Yanfolila	Yanfolila-Central	Wassoulou Balle	Badogo
285	Sikasso	Yorosso	Kouri	Koury	Koury
286	Sikasso	Yorosso	Mahou	Mahou	Mahou

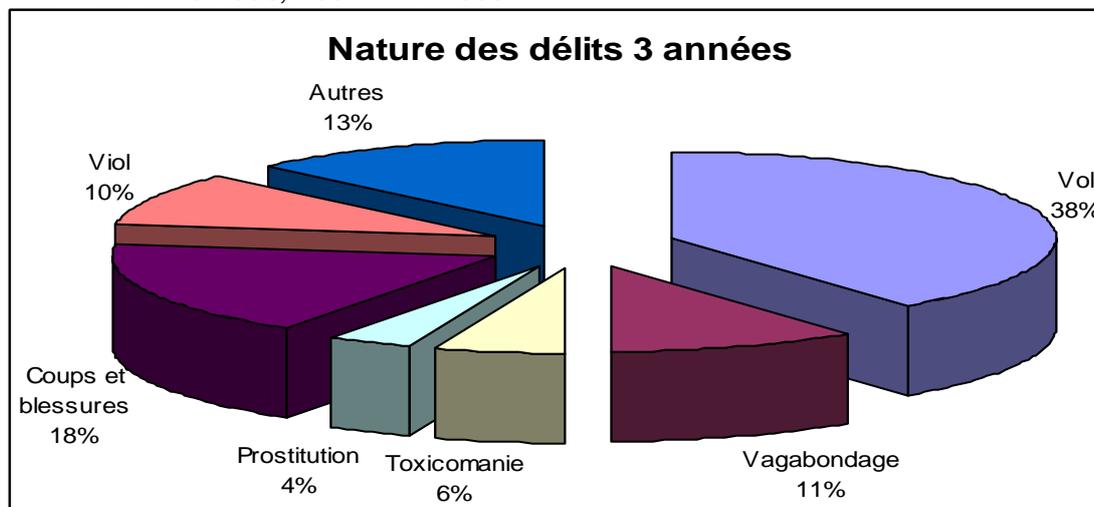
Source: 2005 Situational analysis report SSC 2005

TABLE 47: DISTRIBUTION OF CHILDREN AGED FROM 5-17 YEARS ACCORDING TO THE BRANCH, SEX AND AGE GROUP

HEADINGS		Agriculture-Fishing-Forest Exploitation		Mining and Quarry*		Manufacture		Construction*		Whole sale and retail trade Restaurants		Transport and communication*		Other branches	
Milieu	Urban	334367	37.6	87	0.0	22764	2.6	1325	0.1	27846	3.1	2933	0.3	500533	56.2
	Rural	1412377	66.1	459	0.0	41006	1.9	9946	0.5	2933	0.3	3719	0.2	655084	30.6
Boys	5-9	405626	65.5			2761	0.4	1843	0.3	2839	0.5	1406	0.2	204693	33.1
	10-14	511414	81.5			11856	1.9	4448	0.7	9344	1.5	2564	0.4	87607	14
	15-17	261892	76.1			10679	3.1	3895	1.1	10920	3.2	1388	0.4	55439	16.1
	Total	1178932	74.1			25296	1.6	10186	0.6	23103	1.5	5358	0.3	347739	21.9
Girls	5-9	208815	37.0	0	0.0	9539	1.7	0	0.0	5222	0.9	333	0.1	341038	60.4
	10-14	247839	42.4	0	0.0	21207	3.6	1085	0.2	7149	1.2	962	0.2	306685	52.4
	15-17	111157	38.7	547	0.2	7729	2.7	0	0.0	7970	2.8	0	0.0	160154	55.7
	Total	567811	39.5	547	0.0	38475	2.7	1085	0.1	20341	1.4	1295	0.1	807877	56.2
Global	5-9	614441	51.9	0	0.0	12300	1.0	1843	0.2	8060	0.7	1739	0.1	545731	46.1
	10-14	759252	62.6	0	0.0	33063	2.7	5533	0.5	16493	1.4	3526	0.3	394292	32.5
	15-17	373050	59.0	547	0.1	18408	2.9	3895	0.6	18889	3.0	1388	0.2	215593	34.1
	Total	1746743	57.7	547	0.0	63771	2.1	11271	0.4	43442	1.4	6653	0.2	1155616	38.2

Source : National survey on child labour in Mali (ENTE 2005)

TABLE 48: SITUATION OF OFFENCES ACCORDING TO THEIR NATURE OVER A PERIOD OF THREE YEARS 2003, 2004 AND 2005:



Source: Survey report on the situation of children in need of special protection measures including those in conflict with the law (CNDIFEE 2005)

X

RESPONSIBILITIES OF THE CHILD

In this part, party States are requested to provide relevant information, notably on current practices, legislative, judicial, administrative and other measures in force; on factors and difficulties encountered in the implementation of pertinent provisions of Article 31 of the Children's Charter, pertaining to the child's duties towards:

- a) The parents, family and community,
- b) The superiors and elders,
- c) The State and the continent.

Article 31 of the Children's Charter provides in full that "Every child shall have responsibilities towards his family and society, the State and other legally recognized communities and the international community. The child, subject to his age and ability, and such limitations as may be contained in the present Charter shall have the duty to:

- (a) work for the cohesion of the family, respect his parents, superiors and elders at all times and assist them in case of need;
- (b) serve his national community by placing his physical and intellectual abilities at its service;
- (c) preserve and strengthen social and national solidarity;
- (d) preserve and strengthen African cultural values in his relations with other members of the society, in the spirit of tolerance, dialogue and consultation and contribute to the moral well-being of society;
- (e) preserve and strengthen the independence and integrity of his country;
- (f) contribute to the best of his abilities, at all times and at all levels, to the promotion and achievement of African Unity."

The African traditional education that parents generally provide to their children naturally requires from the latter a certain number of duties both to their own parents, the family and the community as a whole.

African parents and society generally teach the child to adopt rules such as good behaviour towards his parents and all other members of society, respect for elders and superiors. The Malian legislation on the child is in complete agreement with this.

Thus Article 1 (e) and (f) of the Child Protection Code of 5 June 2002, stipulates that one of the objectives of this Code is to instil the sense of moral in the child, the sense of respect for his parents, his family and social entourage; ensure that the child acquires virtues of work, initiative, values of personal effort, the sense of self-responsibility towards his parents, the family group and society and ensure through appropriate means, his participation in relevant activities.

Furthermore, one of the purposes of the Child Protection Code is to raise the child in the sense of national identity and citizenship, loyalty to Mali, its land, history and achievements as well as the sense of belonging to a set of positive values of civilization at the national, sub-regional, regional and global level. In short to provide the child with an education which is immersed in our humanist culture and integrates openness to the outer world, in accordance with the requirements of education and scientific orientations (Art 1 b)). The same Child Code quotes the substance of Article 31 of the African Children's Charter as referred to above.

CONCLUSION

This report on the Children's Charter is an analysis of the participation of key stakeholders in the field of the protection and promotion of the rights of the child in Mali.

This includes actors from government, civil society, children and technical and financial partners.

Initiated by the Ministry for the Promotion of the Woman, the Child and the Family, the report covers the period 1999-2006 and presents the status of implementation of the Charter by our country.

Convinced that children are the future of our country and that they deserve better protection, the Government of Mali shall spare no effort, whatever the level of available resources, to best ensure the welfare of its children.

The measures that are taken here and there in the various domains (health, education, protection and participation) show the will of the Mali Government and its partners to improve the condition of the Malian child.

Far from objectively describing the various activities carried out during the period concerned for the implementation of the Children's Charter, the report also dwells on a critical analysis which shows the failings and lapses related to the inadequate implementation of some provisions of the Charter.

The means, considering what still has to be done, are modest. But the determination to continue with the various partners in a bid to promote human rights in Mali is still on.