

MALI

CEDAW A/43/38 (1988)

504. The Committee considered the initial report of Mali (CEDAW/C/5/Add.43) at its 117th and 120th meetings, on 24 and 26 February 1988 (CEDAW/C/SR.117 and 120).

505. In introducing the report, the representative of Mali apologized for the late submission of the additional written information and for its availability only in French. However, that was not to be understood as a lack of interest in the work of the Committee.

506. He stated that two thirds of the country's area was located in the Sahara region, and that more than 80 per cent of the population was rural. His country had been seriously hit by the world's economic crisis and by severe drought for more than 10 years. Women constituted more than 52.2 per cent of the population and 83.3 per cent of them lived in rural areas. Women constituted the majority in the manufacturing industry, in trade and in crafts.

507. Among the legislative and other measures taken to guarantee equality between women and men were the Constitution of 1974, the Labour Code of 1962 and collective agreements, which guaranteed equal salaries for women and men and took also into account the international labour conventions that had been ratified by the country, and a decree of 1977 concerning the status of civil servants. The voting age for persons of both sexes was 21 years, and the age of eligibility was 25 years.

508. Female night work in industry was forbidden and maternity rights were guaranteed by law. A pregnant woman whose pregnancy had been certified by a medical doctor could leave her job on 24 hours' notice. Maternity leave was six weeks before and eight weeks after delivery. During maternity leave, women received free medical care and their full salary. Lactating mothers were entitled to rest-periods during the day without any curtailment of salary. The retirement age of female civil servants could be reduced by one year per child, on request.

509. Other legal measures that had established equality between the sexes already before the ratification of the Convention were the Marriage and Guardianship, Parental and the Nationality Codes. Exploitation through prostitution constituted a crime.

510. At all times women had been playing a determining role in the political life of the country and had been represented at all levels of the National Union of Malian Workers.

511. School education was mixed, non-denominational and mandatory for all children. Girls and boys had equal access to school, they received the same type of education and were awarded the same degrees and diplomas. Female literacy had been given some impetus by the setting up of the National Directorate for Functional Literacy and Applied Linguistics in 1975, and, in particular, its Division for the Advancement of Women. The objectives of the Division were to teach women how

to read, write and calculate and to instruct them in topics related to health, education, agriculture and crafts. All those programmes were currently supported by audio-visual means, which had helped to increase the awareness of the population in 87 villages.

512. The representative highlighted a certain number of results already achieved by the Division in the areas of literacy and video programmes. Information campaigns about the elimination of discrimination in employment were being held among workers and staff delegates in industrial enterprises.

513. The country suffered from a high rate of morbidity and of very scarce means and its population was strongly marked by its traditional environment. The vulnerable groups constituted a very high percentage of the population. The fertility rate was 230 to 240 per thousand and the average number of children per woman was seven. The Government had set up some mechanisms to reduce the rate of infant morbidity, to strengthen the national health and social security system and to pay more attention to the vulnerable groups through the expansion of family planning and sex education, the setting up of child-care facilities and vocational training centres for women who had abandoned school. In that connection, the creation in 1972 of the Malian Association for the Protection and Promotion of the Family and the Pilot Centre for Family Planning were important steps forward. In 1975, maternity protection had become integrated in the family health service, and since 1980, Mali had a Division for Family Health that dealt with the protection of mother and child and family planning, nutrition and health education.

514. In the rural areas, the National Directorate for Co-operative Action encouraged the effective participation of women in the Malian co-operative movement. It incorporated a special section for the advancement of women, whose objectives were to increase female co-operatives and their participation in national development as well as to increase women's income. In order to allow women to have more direct access to bank loans, the National Union of Malian Women had become a member of Women's World Banking.

515. Women are also members of the armed forces.

516. Mali's ratification of the Convention proved his Government's political will to achieve total equality between women and men despite deep-rooted and long-standing traditions. Results had been achieved, but a lot more needed to be done.

517. The members of the Committee congratulated the Government of Mali for its ratification of the Convention and its presentation of the initial report within the required time-limit. They also thanked the representative of the Government for having provided very substantial information in his introduction. However, when the Committee had decided at its seventh session to consider the report of Mali, it had asked for further information since the report was incomplete and did not comply with the guidelines regarding the form and contents of reports from State parties. It was very regrettable that the additional information had arrived too late to be properly studied by the experts, and that it was available only in French, which not only constituted a violation of rule 6 of the Committee's rules of procedure, but also prevented many members of the Committee from reading and understanding it.

518. Although the additional information was more substantial than the information contained in the country report, its format did not comply with the general guidelines.

519. The members of the Committee showed understanding for the country's serious economic and geographical problems. While the Committee had adopted a much stricter attitude in previous cases, it took into account the economic constraints of the country, its good intentions and the oral information given by its representative. Therefore, it did not defer the consideration of the report to another session. Most experts made, however, only general comments and refrained from asking any specific questions. Some experts commented that the problem of Mali seemed to be similar to a problem that prevailed in many developing countries, namely the lack of co-ordination. They pointed out, however, that the Government had presented much more comprehensive reports to other United Nations bodies and they hoped that the presentation of a report with such scarce information was not a reflection of the low priority given by the Government to the Committee on the Elimination of Discrimination against Women. Reference was made to the information provided by Mali and the ILO, which had been included in the ILO background paper L.8.

520. Many members of the Committee knew from other sources of information that there was a dynamic women's movement in the country and a strong political will in favour of the advancement of women. No mention was made in the report of the two women ministers, it was said, nor of the fact that the General Directorate of the Department of Education was headed by a woman, nor of the participation of Malian delegations in regional and international women's conferences.

521. It was felt that the report had not done justice to the real situation of women and their role in national development. Some experts also said, however, that the poor quality of the report was perhaps an indication that the issue of equality did not receive enough attention in the country. Some members indicated that they had heard from other sources about the serious health problems faced by Malian women and the high birth, morbidity and infant mortality rates. Others noticed the lack of information on bilateral relief programmes.

522. The experts expressed their sincere hope that all the observations made would be taken into account in the preparation of the second periodic report and that it would better portray the status of women in Mali.

523. Experts suggested that the United Nations should include assistance to developing countries in drafting country reports under article 18 of the Convention within its programme of advisory services.

524. It was asked whether the National Union of Malian Women had been consulted in the preparation of the report. It was further asked whether any of the domestic laws had been reviewed and amended after the ratification of the Convention and, if so, which ones and whether any measures had been undertaken to expedite the adoption of new anti-discriminatory legal texts.

525. Experts wanted to know whether and how the Convention had been publicized in the country.

526. Clarification was sought for the statement in the report that women enjoyed full legal powers as regards civil rights "with the exception of business matters".

527. Bearing in mind that overcoming old traditions was one of the most serious obstacles to the achievement of equality, and considering the serious socio-economic obstacles to the advancement of Malian women, but also the fact that Mali was a secular State with a multi-religious society, more information was requested on those deeply rooted traditions referred to in the report and on ways to overcome them.

528. Experts asked for further information on the women's movement in Mali in policy-making, in the Government and in legislation.

529. Some specific questions were addressed to life-style of Malian women. It was asked whether a woman had to give up her job after the birth of a child, whether a woman had to adopt her husband's name on marriage, whether men shared in household work, whether abortion was permissible and, if so, whether it was covered by social security. It was further asked whether women had to dedicate themselves exclusively to household duties or whether they could also do outside work and whether rural women received retirement benefits. Experts asked how the Government intended to change the discriminatory tax law, considering that a married woman doing outside paid work had to pay higher taxes than her husband.

530. The representative of the State party thanked the members of the Committee for their objective and substantive comments. He apologized for not having respected the deadline for the submission of additional information and emphasized that it was not done intentionally out of lack of respect for the Committee. It was not a scarcity in human resources that prevented the country from providing a better report, but rather its geographically disadvantaged situation, as would become obvious when Mali presented its second report.

531. The Ambassador of Mali, before addressing the questions the Committee had posed, stated that he regretted the difficulties experienced by the Committee in receiving the translated version of the amendment to Mali's initial report. He wanted to reassure the Committee that his Government had full determination to implement the Convention which had been ratified in 1985. In Mali's society women were accorded a very high place.

532. The National Union of Women was always consulted on all major legislative decisions. Therefore, the National Union of Women was associated in all negotiations and informed of all national decisions.

533. No new laws had been adopted since the ratification of the Convention. However, the National Assembly was to take a decision in the year on family and marriage law, and the amendment to the commerce code.

534. Mali had no official religion. There was religious liberty in the country.

535. Regarding public information campaigns in favour of the Convention, every 8 March International Women's Day was celebrated. On this occasion the media provided information, the newspapers and the radio contributed to many manifestations intended for public awareness and mobilization. There were also radio programmes devoted to women's emancipation.

536. In the past, the role of women as guardians of traditional values had been highlighted and women could not enter certain professions; today, women could enter the army and the judiciary, and the laws adopted in women's favour allowed such attitudes to be overcome.

537. Women had access to employment of any kind. The lack of women in international organizations and diplomatic missions was mainly due to family reasons and to decisions to couple had to take regarding individual careers.

538. Paternity leave of three days was given. Men could request special leave also to care for sick children and a sick wife.

539. Mali could not afford to have a pension scheme extended to the rural areas; health care was free and accessible in the rural areas.

540. Abortion was illegal in Mali. It was only authorized when pregnancy threatened the mother's life. Time would be needed to change this law.

541. At the moment, the taxation law was being studied in order to improve it and eliminate any outdated formulation that had remained, such as treating a married woman in the same way as a single man for tax purposes.

542. Married women were not really discriminated against in their business practices, which in most cases were regulated by two laws: the marriage law, and the commercial code.

543. In Mali the marriage law stipulated the separation of property. Thus, any woman could de facto open her business without her husband's authorization. In fact, that was very common in Mali where most women bought and sold goods in local markets.

544. Polygamy, which was a very ancient custom, existed in Mali. However, a woman could make a choice at the time of marriage, given that the Marriage Code provided for the marriage systems of polygamy and monogamy.

545. There were no laws that prescribed that a woman should use her husband's name. It was done out of habit. Children, however, always carried their father's name.

546. The Ambassador thanked the Committee for having allowed him to establish such an auspicious dialogue. He stated that much had to be done in preparation for the second report and assured the Committee that he and his Government were fully aware of their obligations. He thanked once more the Committee for their understanding and hoped that the amendment to the report would be made available soon in all the working languages.

547. Members of the Committee congratulated him and recognized that the Government was taking a serious step in the process of implementing the Convention. It was stated that it was important to recognize the obstacles and that the Committee acknowledged that there was a will to overcome them. Two other questions were asked regarding divorce and polygamy and the representative was kindly requested to submit the information at the time of submission of the country's second report.