

Input for the UPR on Mali
Office of the Special Representative of the
United Nations Secretary-General for Children and Armed Conflict

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Background

From January 2017 to June 2022, there was a sharp increase in the number of grave violations against children verified by the United Nations through the Security Council-mandated Monitoring and Reporting Mechanism (MRM) in Mali. The majority of violations was attributed to armed groups.

The recruitment and use of children continued to be the most prominent grave violation verified, followed by killing and maiming of children and denial of humanitarian access. All six grave violations against children increased during this period. The abduction of children observed a steep increase, with 2 cases verified in 2017 and 94 in 2021. The recruitment and use of children also increased exponentially from 159 verified cases in 2017 to 352 children verified as recruited and used in 2021. The number of verified killing and maiming of children also rose and peaked in 2019 with 495 children killed and maimed. This upsurge can be explained by the expansion and intensification of the conflict, particularly in the central regions, where a drastic deterioration in the security and humanitarian situation was witnessed following the escalation of intercommunal violence and the presence and activities of armed groups, including those designated by the United Nations as terrorists. Another worrisome trend was represented by the sharp increase in the number of verified attacks on schools and hospitals, which tripled in 2021 (120) compared to 2017 (41). The safe access of humanitarian actors to conflict-affected populations, including children, as well as the detention of children for their alleged association with armed groups, were also issues of great concern for the protection of children. Grave violations against children remained worrisomely high during the first six months of 2022.

The documentation and verification of information pertaining to violations continued to be a challenge, owing to insecurity and lack of access to some of the conflict-affected areas. The COVID-19 pandemic further limited monitoring and reporting activities owing to movement and other related restrictions.

Therefore, the actual figures of grave violations against children are believed to be higher.

The closure of schools continued to increase throughout the reporting period as the conflict expanded and intensified. At the end of 2020, 1,344 schools were closed nationwide due to insecurity. By the end of 2021, the number of schools closed increased to 1,632 and spiked to 1,731 by the end of March 2022. On a positive note, following the endorsement of the Safe Schools Declaration by the Malian Government in February 2018, a monitoring committee for its implementation was established. Several consultations were held on the development of a draft bill on the protection of education from attacks. The draft bill was presented to the Malian authorities for adoption in January 2021.

In October 2020, the Malian Minister of Defence and the Chief of Defence Staff issued orders to military commanders prohibiting the use of children under 15 years of age and instructing army personnel to curb the presence of children around military barracks.

To date, no step has been taken by the Malian authorities towards the revision and adoption of the draft national law on child protection to include the criminalization of the recruitment and use of children below the age of 18, in accordance with international human rights law and standards. The current national law on child protection criminalizes *inter alia* the recruitment and use of children under the age of 15 by armed forces and groups as a war crime. Additionally, little progress was observed with regards to accountability through the investigation of allegations, prosecution and conviction of those responsible for grave violations against children, and impunity persists.

As regards child protection commitments made by armed groups, on 26 August 2021, the two factions of the Platform coalition signed an action plan with the United Nations to end and prevent the recruitment and use of children. The action plans are binding on the two Platform factions and affiliated groups. Platform nominated focal points who have started working with the United Nations on the action plan implementation. The United Nations continued the dialogue with the Coordination des Mouvements de l'Azawad (CMA) regarding the implementation of their action plan against recruitment and use and sexual violence against children adopted in 2017.

Recommendations to the Government of Mali

- **Finalise** the revision of the draft child protection law, criminalizing the recruitment and use of children, including those between the ages of 15 and 17 and **proceed with its adoption and application**.
- **Adopt and implement** the draft law on the protection of education from attacks. **Urge** the Safe Schools Declaration Technical Committee to implement its Action Plan.
- **Reinforce** systems to prevent child recruitment and use by the Malian Defence and Security Forces including effective age assessment procedures within the ongoing reform of the security sector.
- **Institutionalize** child protection training for the Malian Defence and Security Forces to prevent grave violations against children.
- **Establish, endorse and implement** a framework between the Malian Defence and Security Forces and the United Nations to address grave violations against children, including by notifying the United Nations of children associated with the Malian armed forces and by releasing them.
- **Take into account** the specific needs of boys and girls in programs related to disarmament, demobilization and reintegration and to justice and security sector reforms.
- **Release** children detained for actual or alleged association with armed groups. **Treat** children associated with armed forces and groups primarily as victims and for their detention to be used only as a measure of last resort and for the shortest possible period of time with the best interests of the child and international standards for juvenile justice as guiding principles.
- **Fully implement** the 2013 Protocol on the Release and Handover of Children Associated with Armed Forces and Groups. **Work** with the United Nations to review the cases of children whose age could not be determined and who remained detained for alleged association with armed groups.
- **Ensure** accountability and redress by investigating, prosecuting and sanctioning those found to be responsible for grave violations against children, notably recruitment and use of children, killing and maiming of children, sexual violence against children, abduction of children, attacks on schools and hospitals and denial of humanitarian access. **Ensure** that all victims have access to justice and are provided with comprehensive, age-appropriate and gender-sensitive protection services.