

Translated from French

Permanent Mission of the Republic of Mali to the United Nations

No. 20-066-MPM-MD

The Permanent Mission of the Republic of Mali to the United Nations presents its compliments to the United Nations Secretariat (Office of Legal Affairs) and, in response to note verbale LA/COD/2/1 of 3 March 2020, has the honour to transmit herewith information relating to the provisions of General Assembly resolution 73/204, entitled “Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflict”, as input for the report of the Secretary-General on the implementation of that resolution.

With regard to measures taken and in particular point 2.1, on the dissemination and implementation of international humanitarian law within the Malian Defence and Security Forces, the Code of Conduct of the Forces states that they are bound by the rules of international humanitarian law, in particular the obligation to respect, protect and assist the civilian population (article 7), the principle of refraining from the use of force and firearms to disperse illegal but non-violent gatherings (article 22), the prohibition of violence to life and person (article 25) and the prohibition of murder and inhuman and degrading treatment (article 30).

Under the Directive of the General Staff of the Armed Forces No. 653/CEMGA/S-CEM/OPS/DOMP-DIH of 24 August 2010, instruction in international humanitarian law must be provided in all training programmes for the Forces.

The guidelines on international humanitarian law developed by the Ministry of Defence and Veterans’ Affairs, with the support of the International Committee of the Red Cross (ICRC), contribute to the training of the Forces.

An ICRC booklet for combatants on the rules for behaviour in combat has also been distributed to the Forces.

Legal advisers are deployed to the Chief of General Staff of the Armed Forces and the operational chiefs, and military police officers are integrated into combat units as part of the introduction of judicial procedures in the theatres of operations.

The law establishes 18 years as the minimum age of recruitment into the Forces, thus precluding any possibility of recruiting child soldiers.

Women enjoy the same rights as men and have access to senior positions.

With regard to point 2.2, on assistance and protection, there are designated gender-based violence focal points at several levels within the Forces; ICRC has access at all times to detainees; and children associated with armed forces or armed groups are offered special protection in accordance with the 2013 protocol between the Government and the United Nations system. In the context of child protection, it is important to mention Act No. 2018-011 of 12 February 2018 on the National Office for Wards in the Republic of Mali, which is responsible for wards of the State and wards of the nation.

Under the General Statute of Military Personnel, the beneficiaries of military personnel killed in operations or during official missions receive substantial benefits. The war wounded are provided with State care.

With regard to point 3, on punishment, the Malian Criminal Code covers war crimes, crimes against humanity and genocide. Article 32 of the Code establishes that there is no statute of limitations for such crimes.

The Military Justice Code sets out punishments for looting and the unlawful use of the emblem and other distinctive signs.

A specialized judicial unit for combating terrorism, money-laundering and international drug trafficking is now in operation, with domestic jurisdiction over investigations into terrorism, war crimes, crimes against humanity and genocide.

As a suggestion, greater support from the international community for the efforts of the Joint Force of the Group of Five for the Sahel would make it possible to effectively combat terrorism and forms of human trafficking in the Sahel region.

The Permanent Mission of the Republic of Mali to the United Nations takes this opportunity

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to convey to the United Nations Secretariat (Office of Legal Affairs) the renewed assurances of its highest consideration.

New York, 1 June 2020
