

Decree No. 02-200 / P-RM of April 22nd 2002
Establishing the National Ethics Committee for Health and Life Sciences

The president of the Republic,

In view of the Constitution;

Having regard to the Universal Declaration of Human Rights;

Having regard to the African Charter on Human and Peoples' Rights;

Having regard to the Helsinki Declaration of the World Medical Association;

Having regard to the convention on the elimination of all forms of discrimination against women;

Having regard to the convention on the rights of children;

Having regard to the decree No. 02-132 / P-RM of March 18th, 2002 appointing the Prime Minister;

Having regard to the decree No. 02-135 / P-RM of March 19th, 2002 appointing members of the Government, amended by the decree No. 02-160 / P-RM of 30 March 2002;

Having regard to the decree No. 01-326 / P-RM of August 3rd; 2001 setting interims of members of the Government;

Decreeing in the Council of Ministers,

Decrees:

Chapter 1: Creation and mission

Article 1: It is established under the supervision of the ministry of Health an advisory body called the National Ethics Committee for Health and Life Sciences, abbreviated Cness.

Article 2: The National ethics committee for Health and Life Sciences shall be responsible for giving opinions on the ethical problems raised by advances in knowledge in the fields of medicine, pharmacy, biology, health and other life sciences and to make recommendations on these subjects.

Chapter 2: Organization and operation

Article 3: The National Ethics Committee for Health and Life Sciences is chaired by a scientific personality appointed by decree of the President of the Republic for a period of four (4) years renewable once.

Article 4: The National Ethics Committee of Ethics for Health and Life Sciences is composed as follows:

1. Three personalities appointed by the President of the Republic;
2. Twenty-six scientific personalities chosen for their competence and interest in ethical issues:

- a member of the National Assembly appointed by its President;
- a member of the High Council of Communities appointed by its president;

- a member of the Economic and Social Council appointed by its President;
- a member of the Supreme Court appointed by its president;
- a personality appointed by the Prime Minister;
- two people appointed by the Minister for Health;
- two personalities appointed by the Minister responsible for scientific research;
- a personality appointed by the Minister responsible for communication;
- a personality appointed by the Minister in charge of Industry;
- a personality appointed by the Minister responsible for justice;
- a personality appointed by the Minister for Energy;
- a personality appointed by the Minister responsible for rural development;
- a personality appointed by the Minister for the Environment;
- a personality appointed by the Minister of Labor;
- a personality appointed by the Minister in charge of Women promotion;
- a personality appointed by the Minister for Culture;
- a representative of the Malian Association of Human Rights;
- a representative of the Islamic High Council;
- a representative of the Catholic Church;
- a representative of the Protestant Church;
- a representative of the Consumer Associations of Mali;
- a representative of the National Order of Physicians and Surgeons - dentists;
- a representative of the National Midwives Association;
- a representative of the National Pharmaceutics Association;
- a representative of the National Order of Veterinarians;

3. Seven researchers from the research sector:

- a representative of the Ethics Committee of the National Institute for Public Health Research;
- a representative of the Ethics Committee of the Faculty of Medicine, Pharmacy and Odontostomatology;
- a researcher from the National Center for Scientific and Technological Research;
- a researcher from the Higher Institute for Training and Applied Research;
- a researcher from the National Research Institute on *géronto-gériartrie*
- a researcher from the Institute of Human Sciences
- a researcher from the Institute of Rural Economy.

Article 5: The Committee shall appoint internally a vice-President to assist the President.

Article 6: The nominative list of the members of the Committee is set by a decision of the Minister in charge of health.

Article 7: At the end of their term in office and on the proposal of a majority of the members of the National Ethics Committee for Health and Life Sciences, the President and any other

member of the Committee may be appointed as honored members.

Article 8: The term of office of the members of the Committee shall be four years, renewable once. In case of death, resignation, termination of office for any other cause of a member of the Committee during his term in office or prolonged absence, his replacement shall be carried out under the same conditions as his appointment and for the rest of the term in office.

Article 9: The Committee may be directly apprehended by the President of the Republic, the Prime minister, a member of the Government, the President of the National Assembly, the President of the High Council of Communities, the President of the Constitutional Court, the President of the Supreme Court, presidents of foundations, presidents of Associations and NGOs recognized as being of public utility and primarily engaged in research, technological and scientific development or the promotion and protection of human rights.

Article 10: The Committee may deal with questions relating to research, technological and scientific development or the promotion and protection of human rights raised by other physical or moral people than those mentioned in Article 9 above.

Article 11: The Committee shall meet upon convocation by its president. The Committee may also meet, at the request of a simple majority of its members, in extraordinary session whenever circumstances require it.

Article 12: The meetings of the Committee shall not be public.

The voting of the secret ballot shall be by decision of the President or at the request of one or more members present. In case of equal voices the chairman shall have the casting vote.

Article 13: The Committee may deliberate only if at least half of its members are present.

Article 14: The Committee may hear any person called upon to give an opinion or an expertise on any item on the agenda.

Article 15: The Committee organizes annually a public conference on specific themes of ethics in all fields relating to health and other life sciences.

Article 16: The results of the Committee's work shall be published in the form of periodic reports, publications of articles, reviews or written conclusions.

The Committee also publishes annually an activity report to make known the results of its work and its views on the major problems of the time as well.

A copy of the report shall be transmitted to the President of the Republic and to the Prime Minister.

Article 17: The National Ethics Committee for Health and Life Sciences may set up technical committees either for studies on specific issues or for the purpose of scientific inquiry. The technical committees may include, in addition to members of the Committee, members of other ethics committees.

Technical commissions may call upon any person in case of need.

Article 18: The Committee shall have a permanent secretariat headed by a permanent secretary appointed by a decision of the Minister of Health. The permanent secretary shall have the rank of head of division of a central agency.

Article 19: The Permanent Secretary is responsible for:

- preparing meetings and to draw up minutes of the Committee's deliberations;
- coordinating on the administrative plan the committee's activities.

Article 20: The permanent secretary is assisted administratively by two assistants responsible for the administrative and media management of the committee's activities.

Article 21: The Committee establishes its rule of procedure, which sets detailed rules for the operation of the committee, the technical committee and the permanent secretariat. The rule of procedure is submitted to the Minister for Health for approval.

Chapter 3: Final Provisions

Article 22: The Minister of Health, the Minister of Education, the Minister for Rural Development and the Minister of Economy and Finances shall be responsible for the implementation of this decree, which shall be registered and published in the Official Newspaper.

Bamako, April 22nd 2002
Président of the Republic,

Alpha Oumar KONARE

Prime minister,
Modibo KEITA

Minister of Health,
Mrs TRAORE Fatoumata NAFO

Minister of Education,
Moustapha DICKO

Minister of Rural development,
Mrs CISSE Mariam Khaïdama SIDIBE

Minister of Rural development,
Acting Minister of Economy and finances,
Mrs CISSE Mariam Khaïdama SIDIBE