Child Rights References in the Universal Periodic Review

Summary:
A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Central African Republic - 4th Session - 2009
4th May 2009, 10am to 1pm

National Report

17. In line with its commitment to basic human rights principles, the Central African Republic has adopted various legal instruments on the promotion and protection of human rights, including:

(k) Order No. 66.26 of 31 March 1966, on the advancement of girls;


18. The Central African Republic has ratified several international legal instruments on human rights. Some of these have not yet been ratified, however:

(a) International instruments ratified:


Measures - 1. Vulnerable groups - (a) Women

The Central African Republic is also a signatory to the Beijing Platform for Action adopted in 1995 and to the recommendations of the 1994 International Conference on Population and Development (ICPD), held in Cairo, which recommends that the Government should combat trafficking in women and children. The following are some of the domestic legal provisions on the promotion and protection of women’s rights:

(b) Act No. 97.014 of 10 December 1997, on vocational guidance and training, establishes free compulsory education for all and supplements the 1966 Order protecting girls’ schooling;

(e) Order No. 66/16 of 22 February 1966 abolishing the practice of excision throughout Central African territory;

26. Children in the Central African Republic are given priority through various measures taken by the Government.

27. With regard to legislative measures, there are a pleasing number of legal instruments on the promotion and protection of children’s rights:

(a) The Constitution of 27 December 2004 (articles 6 and 7) gives prominence to children’s rights;

(b) The Labour Code contains various provisions to protect children from abuses likely to jeopardize their normal development and from the worst forms of child labour;

(c) The Criminal Code and Code of Criminal Procedure (currently being amended) contain extensive provisions on the protection of children;

(d) Ratification of the Convention on the Rights of the Child on 23 May 1992. Under article 4 of the Convention, the Central African Republic is committed to undertaking all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention;
(e) Recognition of the situation of Central African children in Act No. 97.013 of 11 November 1997;
(f) Ratification of the ILO Worst Forms of Child Labour Convention (No. 182) on 28 June 2000;
(g) Act No. 63.406 of 6 May 1963, establishing the nationality of children born to a Central African mother where the parents have not contracted a lawful civil marriage;
(h) Act No. 64.23 of 5 November 1964 on the legal declaration of paternity.

28. As to institutional and other measures, the following institutions are responsible for children:
   (a) Ministry of Education;
   (b) Ministry of the Family and Social Affairs;
   (c) Ministry of Health and Population;
   (d) Ministry of Youth, Sport and Culture

29. Other measures include:
   (a) The establishment of a juvenile court;
   (b) The adoption of an inter-ministerial decree regulating cinemas, and adoption of a health code;
   (c) Prolongation of the Children’s Parliament for a third session of the legislature;
   (d) Various seminars to publicize the Convention on the Rights of the Child;
   (e) Observance of Universal Children’s Day;
   (f) Establishment of a national committee to monitor the Convention on the Rights of the Child (26 April 1993);
   (g) Right to apply to the district court to claim maintenance;
   (h) Right to report child abuse to the prosecutor;
   (i) Assistance for children in many forms from UNICEF, UNFPA, the Global Fund, the United Nations Development Programme (UNDP), WHO and the World Bank in various sectors such as education, health, culture and juvenile justice.

(a) Economic and social rights

38. The following institutions are responsible for work and safety at work:
   (a) The Ministry of the Civil Service, Labour, Social Security and Youth Employment;
   (ii) Right to education


40. The Central African Government is a signatory to the Jomtien, Thailand, World Declaration on Education for All and has made education one of its priorities. It organized a General Conference on Education and Training in 1994, which led to the drafting of a national programme on developing education and training.

41. Legislative and other measures:
   (a) Act No. 97 of 17 December 1997, on the national education policy, was a step forward in the area of education;
   (b) A plan of action on education for all (2003-2015) was prepared in line with the recommendations of the General Conference on Education and Training and takes account of the specific needs of girls and women;
   (c) Construction of schools, accelerated training and retraining of teachers, recruitment of primary school teachers and the establishment of community schools are some of the initiatives taken by the Government in the area of education in the Central African Republic.

(iii) Right to health

42. The Constitution of the Central African Republic, article 6, provides that “the State has a duty to ensure the physical and mental health of the family”.

(b) Preparation and implementation of a plan to speed up the reduction of maternal and neonatal mortality (2004-2015);
(c) Preparation and implementation of a programme to prevent parent-to-child transmission of HIV/AIDS;
(h) Comprehensive care for orphans and other vulnerable children;

50. The Constitution of 27 December 2004, article 7, provides that “everyone has the right to access sources of knowledge. The Republic guarantees children and adults access to instruction and culture”.

53. The Ministry of Youth, Sport, Arts and Culture is responsible for the implementation of cultural policy throughout the country.
materno-néonatale et infanto-juvénile.

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Comme indiqué dans le rapport de l'OMS précité, l'espérance de vie a baissé du fait du VIH/SIDA. According to UNDP, it was 42.8 years in 2005. Selon l'OMS, la prévalence élevée des maladies comme le VIH/SIDA, le paludisme et la tuberculose, la fréquence élevée

91. Various civil society organizations work to promote and protect human rights in the Central African Republic: Organisation pour la Compassion et le Développement de Familles en Détresse (Organization for the Support and Development of Families in Distress) member of FIDH;

92. Other organizations not specializing in human rights, such as the... Organisation des Jeunes (Youth Organization) (OJ)

111. On the social front there are a number of difficulties that hamper the promotion and protection of human rights, including:
   (c) The limiting of family allowance coverage to five children;
   (j) The lack of juvenile detention facilities.

OHCHR Compilation of UN information

1. The Committee on the Rights of the Child (CRC) recommended that the Central African Republic consider ratifying OP-CRC-SC. With the Representative of the Secretary-General on the human rights of internally displaced persons (IDPs), it also recommended ratification of OP-CRC-AC. The Human Rights Committee (HR Committee) encouraged accession to ICCPR- OP2.

2. CRC also recommended ratification of ILO Convention No. 182, and of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

4. Concern was expressed in 2000 by CRC about the situation of extensive discrimination against girls, particularly in their access to education and their inheritance rights, and about discrimination against children with disabilities and minority populations, notably Pygmies. In 1987, CERD had expressed concern that coercion might be used against Pygmies to incite them to abandon their way of life.

26. The Special Representative of the Secretary-General on children in armed conflict was encouraged that parties to the conflict had agreed to release children recruited in their ranks. APRD agreed to release all children once proper arrangements were made for their protection and reintegration into communities. UFDR signed an agreement with UNICEF and the Government for the release of children and it is now incumbent on the international community and the Government to find the necessary resources to ensure effective and sustainable reintegration of children into the community. In a November 2008 report to the Security Council, the Secretary-General indicated that the recruitment of children by armed groups has continued, and that over 700 children remain associated with them.

28. Le BONUCA a enregistré des cas de violences faites aux femmes et aux jeunes filles, incluant des mutilations génitales, des viol, des violences domestiques et parfois des homicides. Les plus graves ont été attribuées aux forces de sécurité affectées à la maison d’arrêt de Bouar, Bossangoa et Bangui (Bimbo). The HR Committee called upon the State to step up its efforts to mobilize public opinion against FMG and to take measures to criminalize it.

29. CRC recommended in 2000 that the State monitor and address incidents involving the sale or prostitution of children, and implement measures to address abuse, including sexual abuse, and neglect of children.

40. In 2000, CRC recommended that all children be registered at birth, particularly in rural areas, and that birth registration services be free; that efforts be strengthened to end practices of early and forced marriage; and that a programme to strengthen and increase alternative care opportunities for children be urgently adopted.

47. In 2000, CRC was concerned that child labour was widespread and that children might be working long hours at young ages.

49. In 2000, CRC, noting the very low standard of living of the population, had recommended urgent efforts to address this issue, in particular for the rural population, by improving inter alia access to drinking water and sanitation. CRC was also concerned at the limited access of the population to social security. A 2008 United Nations Statistics Division source noted that the total proportion of the population not having access to improved water source decreased from 37 per cent in 2000 to 34 per cent in 2006. Furthermore, as indicated by the same source, 94.1 per cent of the urban population lived in slums in 2005.

50. Comme indiqué dans le rapport de l’OMS précité, l'espérance de vie a baissé du fait du VIH/SIDA. According to UNDP, it was 42.8 years in 2005. Selon l’OMS, la prévalence élevée des maladies comme le VIH/SIDA, le paludisme et la tuberculose, la fréquence élevée des pratiques néfastes à la santé et le taux élevé d'analphabétisme sur fonds de pauvreté constituent le lit des taux élevés de mortalité materno-néonatale et infanto-juvénile.
51. A UNICEF report indicated that the under-five and maternal mortality rates were unacceptably high. The maternal mortality rate is one of the highest in the world, as noted by UNFPA, and emergency obstetric care is nearly non-existent, making women in reproductive age one of the most vulnerable population groups. A United Nations Statistics Division report indicated that under-five mortality was 175 per 1,000 live births in 2006. In 2000, CRC had expressed concern on these issues, and recommended that the State make free medical assistance available to pregnant women, including the assistance of trained professionals during childbirth.

52. The adult national HIV prevalence is the tenth highest in the world, according to a 2007 UNDP report. Prevalence among women is almost twice as high as among men and there are considerable regional variations, as indicated in a UNAIDS report. A 2008 UNICEF report noted that a substantial increase in access to and use of prevention of mother-to-child transmission services has occurred. In 2000, deeply concerned about the high level of HIV/AIDS infection, CRC urged the State to strengthen efforts to combat HIV/AIDS and tuberculosis, as well as to minimize the impact upon children of HIV/AIDS-related deaths of parents, teachers and others.

53. CRC was concerned at the lack of mental health assistance for children, noting in particular the context of widespread family instability and the impact on them of armed mutinies; and about the very limited extent to which rights of children with disabilities are respected.

54. In 2000, CRC was deeply concerned at the low education levels among children, the number of children who are several years behind in their primary education, the high drop-out rate of children and the closing of many schools and classes because of a lack of teachers. The Statistics Division source indicated that the net enrolment ratio in primary education was 45.7 in 2006. According to a 2007 UNESCO report, the number of girls starting school is 80 per cent of that of boys, or less. As indicated in a 2004 UNESCO report, about 10 per cent of young women are literate. A 2006 UNESCO report further noted that adult literacy rate is below 60 per cent.

55. According to the Representative of the Secretary-General on the human rights of IDPs, the education sector has been greatly affected by events in the country. Many schools have been destroyed. Many teachers have left the regions concerned to escape the violence, and parents dare not send their children to school owing to the lack of security. The Representative encouraged the emergency education system using parents as teachers, organized with the assistance of UNICEF, but underlined that this cannot replace teaching by professionals.

56. Concerned at the difficulties linked to the introduction of the national language into schools, CRC recommended standardizing the use of the Sango language in schools.

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

61. In 2000, CRC noted positive aspects, including introduction of a programme of schools managed by local communities and efforts made to receive refugee children from neighbouring countries.

62. The HR Committee acknowledged positive developments, such as the introduction of juvenile courts in 2001.

63. CRC noted the very serious economic problems faced by the State, the failure of economic reforms, the pressures exerted by structural adjustment programmes and the landlocked situation of the country.

64. CRC recommended that the State seek assistance from United Nations agencies and programmes regarding the issues of, inter alia, child labour, support to families and to communities in combating the effects of poverty and HIV/AIDS; education; leisure and cultural activities; and juvenile justice.

OHCHR Summary of stakeholders’ information


6. According to IDMC, displaced children from minority groups such as the Peulh face ethnic discrimination because many host communities have the mistaken perception that all Peulh are road bandits.

13. HRW added that since January 2008, the National Army of a neighbouring country has launched cross-border raids on villages in the north-west, killing civilians, burning villages, and stealing cattle. Furthermore, as indicated by HRW, the Lord’s Resistance Army has been conducting operations in the far south-eastern part of Central African Republic since early 2008 and made its presence known in a series of raids between the towns of Obo and Bambouti in February and early March 2008, in which 150 civilians were abducted, 55 of them being children.

16. According to IDMC, all main rebel groups, APRD, the Front Démocratique du Peuple Centrafricain (FDPC) and UFDR, have acknowledged recruiting children and using them in hostilities. Only UFDR has signed a joint disarmament, demobilization and reintegration agreement with the government and UNICEF. IDMC recommended that the government encourage rebel groups to release all children under the age of 18 currently serving in their ranks and to end further recruitment and use of children in accordance with international obligations under Security Council Resolution 1612 (2005) and with discussions held with the Special Representative of the Secretary-General for Children and Armed Conflict in May 2008. It also recommended that the government work closely with UNICEF to determine if there are children under the age of 18 in the Central African armed forces, and if so, release them in accordance with international obligations; and as part of security sector reform, that it revise training materials used by security forces to include comprehensive child protection training as a preventative measure against the recruitment of children into armed forces.

21. La FIDH et la LCDH ont aussi fait savoir que selon les Nations Unies, la violence sexuelle frapperait plus de 15 pour cent des
femmes et des filles dans le nord du pays. Une loi relative à la protection de la femme contre les violences a été adoptée le 15 décembre 2006, mais demeure inconnue de la population et est largement inappliquée. Ces organisations ont ajouté que selon cette loi, le Procureur général et les officiers de police judiciaires peuvent saisir les tribunaux de cas de violences contre les femmes et que cette disposition n’est jamais utilisée. Elles ont recommandé aux autorités centrafricaines concernées d’exercer leur compétence pour ouvrir des procédures judiciaires contre les auteurs des violences faites aux femmes, conformément à la loi relative à la protection de la femme contre les violences, et de mener une campagne nationale contre les violences faites aux femmes.

23. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) indicated that corporal punishment of children is lawful in schools and alternative care settings and in the home under the concept of parental power, and that laws against violence and abuse are not interpreted as prohibiting corporal punishment of children. GIEACPC has been unable to ascertain the legality of corporal punishment in the penal system, as a sentence for crime and as a disciplinary measure in penal institutions. It recalled that in 2000, following examination of the state’s initial report, the Committee on the Rights of the Child expressed concern at corporal punishment of children and recommended that the State “end all acts of violence against children, including corporal punishment”.

38. L’AAD et SRI ont précisé qu’en vertu d’une loi de 2006 relative à la santé de reproduction, toute personne a droit à une vie sexuelle satisfaisante en toute sécurité, a le droit de procéder au rythme de son choix, ce qui implique l’accès à l’information et l’utilisation des méthodes de planification familiale conformément aux normes prescrites; l’accès à des services de santé devant permettre aux femmes de mener à bien grossesse et accouchement et donnant aux couples toutes les chances d’avoir des enfants en bonne santé. Toutefois, dans les faits, les femmes n’arrivent pas à revendiquer librement ces droits, du fait de pesanteurs socioculturelles, de l’ignorance, de l’analphabétisme et de la pauvreté. En outre, les femmes n’ont accès aux soins de santé en matière de reproduction que dans certaines zones urbaines du pays, mais les pesanteurs socioculturelles et religieuses restent un obstacle important à franchir pour favoriser l’accès à ces services.

40. L’AAD et SRI ont souligné que le secteur de l’éducation a souffert du déplacement des enseignants et des populations, d’où une baisse du taux de fréquentation des écoles, de la destruction des équipements et des outils de travail à cause des conflits permanents, ainsi que des grèves lancées par les enseignants suite au non-paiement de leurs salaires. Le taux de fréquentation des écoles primaires, qui était de 48 pour cent en 1988, est tombé à 41 pour cent en 2003. À Bangui, ce taux est nettement plus élevé et atteint environ 79,5 pour cent.65

41. The Central African Republic has ratified the Pact on Security, Stability and Development in Africa’s Great Lakes Region, which entered into force in June 2008, as indicated by IDMC. Article 6 of the Pact’s Protocol on Protection and Assistance to internally displaced persons (IDPs) commits States not only to enact national legislation to implement the Guiding Principles on Internal Displacement into domestic law, but also to create a practical implementation framework. Under Article 72 of the Central African Constitution (2004), the provisions of any international instrument ratified by the State become binding and have precedence over national laws. IDMC stated that one gap remains, however, which is the lack of a specific legal framework to protect internally displaced persons in general and displaced children in particular. The current laws do not provide a sufficiently detailed basis for addressing and responding to the needs of internally displaced persons.

45. IDMC conducted a fact-finding mission to the Central African Republic in July and August 2008 on the protection needs of displaced children. It found that displaced children face severe protection problems from ongoing violence and insecurity. Their nutrition, water and sanitation, health, and shelter needs remain largely unmet. IDMC noted that although generalised poverty and underdevelopment in the country affect all children, displaced children are more vulnerable. Their protection needs have not been adequately addressed by the Government or the international community.

46. For IDMC, unlike other children, displaced children have suffered trauma after witnessing unimaginable levels of violence such as the killing of family members when their villages were attacked by “zaraaguinas” or “coupeurs de route”. During such attacks, some displaced children have been abducted to work as porters of stolen property; while others have been recruited into armed forces or groups. According to IDMC, displaced children are in urgent need of adequate shelter, having been forced to sleep outdoors during the rainy season, despite the risk of contracting malaria or upper respiratory infections. Displaced children face additional economic exploitation as they are forced to work in fields belonging to host communities in exchange for food or meagre pay.

Final Report

17. Algeria noted the State’s commitment to consolidating peace and stability. Algeria recommended that the State (a) avail itself of technical assistance offered by OHCHR to submit its overdue reports, also sharing in this respect the recommendation of the Committee on the Elimination of Racial Discrimination (A/HRC/WG.6/5/CAF/2, para. 68); (b) consider implementing, with the assistance of OHCHR, a training and awareness-raising programme on international human rights and humanitarian law for members of the security forces, law enforcement officials and judicial officials; and (c) as stated by the Committee on the Rights of the Child, solicit and receive technical and financial assistance from the international community, particularly from United Nations bodies and programmes, to give tangible form to various sections of the poverty reduction strategy paper, especially restoration of security, consolidation of peace and prevention of conflict, promotion of good governance, reconstruction of the economy and diversification and development of human capital.

18. Brazil welcomed the Government’s commitment to addressing gender-based and sexual violence; health policies; and educational measures for the integration of refugee children from neighbouring countries. Brazil sought elaboration on the National Action Plan, especially regarding genital mutilation and efforts to prevent discrimination against women in education. Brazil (a) proposed considering acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); (b) noted that efforts to abolish the death penalty and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights
19. The Netherlands noted the challenges faced by the State, requiring the international community’s support. It enquired about measures to uphold the rights of IDPs and refugees and improve prison conditions. Citing United Nations reports, it recommended (a) strengthening efforts to guarantee minimum conditions within police custody and detention centres in accordance with international standards, and following up the specific recommendations of United Nations bodies in this regard; (b) taking as soon as possible the necessary measures to safeguard the rights of IDPs and refugees, ensure protection of the civilian population in accordance with international standards and follow up on the specific recommendations in this regard of the Human Rights Committee and the Representative of the Secretary-General on the human rights of internally displaced persons; and (c) taking further measures to combat maternal mortality and give specific follow-up to the recommendation of the Committee on the Rights of the Child concerning the availability of free medical assistance to pregnant women.

20. Nigeria noted progressive reforms regarding the Criminal Procedure and Labour Codes, non-governmental organizations, women and girls, persons with disabilities and establishment of the national human rights commission. Nigeria recommended (a) continuing to strengthen its Court of Justice with a view to its carrying out its constitutional role without fear or favour; and (b) continuing its extensive reforms with a view to addressing institutional shortcomings and weaknesses, and developing an integrated agenda of human rights and public security as well as development agenda towards poverty and illiteracy eradication. It asked that international help be extended to strengthen national human rights institutions.

21. Djibouti welcomed, inter alia, initiatives leading to a national reconciliation plan; measures to combat interference in freedom of expression; efforts to promote the rights of vulnerable groups and the establishment of quotas in the civil service for persons with disabilities. It encouraged the Government to continue combating all forms of discrimination. Djibouti recommended considering ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC) and the Convention on the Political Rights of Women, and that the international community provide technical and financial support to allow the State to achieve the Millennium Development Goals (MDGs) and overcome economic difficulties exacerbated by the current financial crisis.

2. Italy commended the State for its de facto moratorium on executions. It recommended (a) seizing the opportunity raised by the ongoing review of the Penal Code to consider abolishing capital punishment and acceding to ICCPR-OP 2. Noting concerns expressed by the Human Rights Committee and the Committee on the Rights of the Child, Italy recommended (b) modifying legislative provisions that may discriminate against women and in particular speeding up the process of bringing the Family Code in line with international instruments; (c) enhancing awareness-raising campaigns to combat and eradicate female genital mutilation and other traditional practices harmful to young women; and (d) guaranteeing the right to education of all children and taking effective measures to substantially increase the rate of attendance in primary schools. Enrolment in primary education and the negative trend of attendance in primary schools caused concern.

23. Sweden appreciated the Government’s commitment to human rights. It expressed concern about serious violations in the north between 2005 and mid-2007, when hundreds of civilians reportedly were summarily executed and thousands of homes destroyed. Sweden recommended that the Government increase efforts to investigate and prosecute the individuals known to be responsible for those violations; ensure that victims are guaranteed remedy, including the right to compensation and reparation; and continue efforts to improve the protection of the civilian population. Welcoming the law on reproductive health and efforts to mobilize public opinion against female genital mutilation, Sweden recommended prohibiting female genital mutilation and taking further steps to prevent and address the occurrence of the practice.

24. Portugal welcomed the ratification of most core international human rights treaties and recommended that the State consider signing the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) at the opening ceremony for signature in New York in 2009. Appreciating that capital punishment had not been applied since 1981, it strongly recommended its abolition. It recommended ratification of ICCPR-OP 2 and that the revision of the Criminal Procedure and Criminal Codes be used to tackle the question of the death penalty. Concerned about persistent discrimination against women and regretting that polygamy had not been abolished, it highly recommended that the Family Code be brought into line with international instruments. It urged the Government to respond to the Human Rights Committee’s request to submit information within one year on the follow-up to its recommendations in 2005 on female genital mutilation. It encouraged all rebel groups to release children serving in their ranks and to end further recruitment in accordance with international obligations.

27. The United States of America asked about measures to prevent the recruitment and use of child soldiers in Government-sanctioned self-defence militias. It recommended that the Government (a) demonstrate its firm commitment to preventing the unlawful recruitment of child soldiers by directing the Ministry of the Interior to systematically monitor self-defence militias; and (b) prevent extrajudicial killings by members of the military, including the presidential guard, and bring to justice those members of the military responsible for extrajudicial killings.

28. Mexico asked the donor community to work with the State to identify key programmes to achieve stability and development. Mexico enquired about reforming the governance and electoral process and re-establishing the authority of the State and security in the provinces, especially in the north. Mexico recommended (a) extending an open and ongoing invitation to all human rights mechanisms to visit the country; (b) continuing national efforts in the area of disarmament, demobilization and reintegration and the reform of
institutions involved in security and promotion of the rule of law; (c) ratifying CAT, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and CRC-OP-AC; and (d) taking all necessary measures to combat the recruitment and use of children in hostilities, including by releasing children associated with the conflict.

29. The Congo applauded progress, especially the return to peace. It encouraged the State in its efforts to create a society more respectful of human rights. It noted remarkable efforts, despite difficulties, to promote the rights of women, children, minorities, persons with disabilities and senior citizens. It cited the establishment of a follow-up committee and the implementation of CEDAW. It recommended continuing efforts to put an halt to banditry and help alleviate the suffering of its people by reforming its security services, and that the international community provide the necessary technical and financial assistance so that efforts undertaken for good governance are not compromised.

30. Slovenia, welcoming the priority given to children, was concerned by the reported lack of protection from violence, especially regarding sexual violence, genital mutilation, recruitment by armed forces and groups and accusations of witchcraft. Slovenia recommended taking appropriate action to adopt and amend domestic legislation, including the Penal Code, and effectively implementing that legislation to protect children from all forms of violence. Slovenia enquired about action to prevent violence and discrimination against women and girls and to criminalize genital mutilation. It recommended taking all appropriate action to end the impunity of perpetrators of human rights crimes and cooperate with the International Criminal Court in that regard.

31. Azerbaijan recommended accession to ICCPR-OP 2 and CAT. Citing the fighting between armed forces and rebels and the activities of illegal groups like “zaraguinas”, it recommended continuing to fight firmly against arbitrary executions and impunity, assuring the protection of the civilian population and promoting the return of refugees and displaced persons to their regions of origin. It called for active cooperation with United Nations special procedures.

32. Turkey considered the new policy promoting gender equality as a significant initiative, adding that the State was eligible for assistance from the Peacebuilding Commission. Turkey recommended that the State consider ratifying CAT, OP-CEDAW and the Optional Protocols to the Convention on the Rights of the Child (CRC), make every effort to submit reports to treaty bodies in a timely fashion and increase its level of response to questionnaires sent by special procedures. Turkey encouraged cooperating with OHCHR in this respect. It asked about improving prison conditions.

33. Austria cited reports of the recent killings of civilians in Sokumba by members of the Presidential Guard, also responsible for human rights violations between 2005 and 2007. Commending its replacement with other forces in the north, it noted that some members presumed responsible had not been brought to justice yet. It recommended (a) immediate investigation of all cases of grave human rights violations and ending impunity of perpetrators; and (b) implementing the Guiding Principles on Internal Displacement, enacting a national law on internal displacement with provisions for protecting displaced children, effectively addressing the basic needs of persons affected by internal displacement, and taking every measure to ensure the protection of civilians. Deeply concerned about the forced recruitment of children and citing reports of frequent and systematic child abductions, Austria recommended (c) taking concrete measures to abolish self-defence militias, maintain order through regular security forces and facilitate the end of forced child recruitment by all armed groups; and (d) ratifying CRC-OP-AC.

34. Canada appreciated the cooperation of the State with the Peacebuilding Commission. It recommended that, in the context of reforming the security sector, the Government review training materials used by security forces in order to include child protection as a preventive measure against recruiting children into the armed forces. Acknowledging efforts to fight impunity, it recommended the adoption within domestic legislation of a law based on the Statute of the International Criminal Court, criminalizing war crimes, the crime of genocide and crimes against humanity in the Criminal and Military Justice Codes. Alarmed at the situation of refugees and displaced persons, it recommended taking measures as necessary to ensure free circulation of humanitarian workers so that they may access these vulnerable populations. Canada recommended taking necessary measures to implement CEDAW, with emphasis on issues of violence and abuse based on gender.

40. En ce qui concerne la question des femmes et des enfants, la délégation a indiqué que le Gouvernement préparait toutes mesures pour assurer les droits des femmes et limiter l’emprisonnement d’enfants dans les forces armées. Elle a indiqué qu’un tel emprisonnement n’existerait pas dans les forces armées régulières, et était le fait de forces rebelles.

41. Morocco sought elaboration on the National Plan of Action 2007-2011, the Action Plan for Education 2003-2015 and the Poverty Reduction Strategy Paper. It sought elaboration on the establishment of a national committee to follow up on implementation of CRC. Morocco recommended that the international community give all necessary assistance to the State to strengthen its capacity, therefore supporting it in its actions, particularly to attain the MDGs.

42. Cote d’Ivoire applauded the substantial progress made despite challenges, including the programme to manage schools by local communities, efforts to welcome refugee children from neighbouring countries and the creation of tribunals for children in 2001. It recommended the Government seek from the international community, and especially from United Nations programmes and agencies, support with a view to strengthening, if not already available, capacity-building programmes and technical assistance, especially in human rights education, child labour, security, assistance to families and communities to help them fight the effects of poverty and HIV/AIDS, education and juvenile justice. It exhorted the State to deepen institutional reform to promote human rights, increase assistance to IDPs and prevent new displacements.

43. Spain recalled the primary responsibility of the State to guarantee security. It recommended (a) establishment of a national
commission for human rights, with sufficient guarantees of independence and adequate material and human resources, which would work in close cooperation with the United Nations. Noting discrimination against women in the enjoyment of political rights and in education, Spain recommended (b) abolishing polygamy and adopting a plan to fight the scourge of female genital mutilation, criminalizing this practice and mobilizing public opinion against it, and adopting measures to reduce violence against women, both rape and domestic violence; (c) the definitive abolition of the death penalty; (d) speeding up measures to ensure reintegration into the community of minors giving up their weapons, making it possible to comply with the agreements undertaken by the Government and the Union of Democratic Forces for Unity with the United Nations; and (e) that these agreements be concluded and implemented in the case of other remaining irregular forces.

54. Germany enquired about actions to curb violence against women, especially female genital mutilation. It noted a prevalence of diseases like HIV/AIDS, malaria and tuberculosis, and asked about action taken. Stressing that IDPs often do not have access to adequate housing, infrastructure, education and the health system, Germany asked about strategies to improve their situation. Germany recommended that the State abolish the death penalty.

55. The Republic of Korea noted efforts to improve human rights despite challenges, the decriminalization of press offences in 2005 and introduction of juvenile courts in 2001. It remarked that the judicial system is undermined by arbitrary arrests, detention and delays in the administration of justice, and impunity for serious human rights violations. Although there was a significant decrease in extrajudicial executions by the armed forces in the north, concerns remained about the large number of enforced disappearances, summary executions and torture. It recommended (a) focusing attention more on the serious issues of combating impunity; that human rights violations should be systematically investigated and those responsible for such violations, without exception, should be prosecuted and punished; and (b) further strengthening cooperation with the international community, including OHCHR and treaty bodies.

7. Argentina encouraged the Central African Republic to continue the national dialogue and recommended taking all possible measures to ensure respect for and promotion of international human rights law, international humanitarian law and international law for refugees. It asked about results in preventing the recruitment of children. Noting with interest the creation of a National Human Rights Commission, it recommended adapting internal legislation to international standards in this area, including the Paris Principles. Argentina invited the State to consider ratifying CED and accepting the competence of the Committee on Enforced Disappearances. It recommended that it consider ratifying the Protocol to the African Charter on Human and Peoples’ Rights on the establishment of an African Court on Human and Peoples’ Rights, ICCPR-OP.2, the Convention Governing the Specific Aspects of Refugee Problems in Africa, the Convention on the Political Rights of Women, the Convention Relating to the Status of Stateless Persons, the Convention on the Nationality of Married Women, international conventions on apartheid and the OP-CAT.

58. Belgium noted that cooperation with the United Nations, particularly the Peacebuilding Commission and the Working Group of the Security Council on children and armed conflict, was encouraging. It asked about Government follow-up to recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions in 2008. Belgium recommended (a) the establishment of a permanent coordination structure for different security forces to consistently address various issues such as the training of the military and providing them with weapons; and that members of the security forces receive training in humanitarian and human rights law and that they follow a programme for gender awareness at all ranks; and (b) that members of the security forces suspected of violations of human rights or humanitarian law be rapidly handed over to justice for investigation and judgment. It encouraged severe vetting action linked to recruiting and promotion. It recommended (c) signing and ratifying CRC-OP-AC and implementing it nationally.

60. Angola cited treaty body concerns about the lack of an appropriate legal framework, owing to a need to update the judicial system and customary practices that endanger children’s rights, and about discrimination against girls. Angola enquired about steps to fulfil obligations under CRC, and how the international community could contribute. Angola recommended continuing applying strategies to reduce criminality, address sexual abuse and child trafficking and protect civilians from criminals.

62. Japan applauded progress towards democratization and political stability; efforts to promote human rights and eliminate gender-based discrimination; and awareness-raising of human rights. Japan recommended that the State (a) continue to address reinstating of the rule of law through a fair and transparent electoral process and governance reform, reducing poverty which has caused worsening security, establishing basic infrastructure and creating jobs, with the support of the United Nations and the international community; (b) further work to improve women’s political participation, educational opportunities and status in marriage relationships as well as to reduce the maternal mortality rate, one of the highest in the world; and (c) ratify in timely fashion the Optional Protocols to CRC.

64. Senegal noted with interest measures to improve the status of women, children and persons with disabilities. It welcomed the 10 per cent quota in the civil service for disabled persons and the bill on the protection of older persons. It cited concerns on poverty, illiteracy, education and certain human rights. It encouraged the authorities to stand firm in pursuing reforms to bridge gaps and meet security challenges, and to identify clearly the need for technical assistance.

67. Bangladesh appreciated efforts to ensure greater access to education, health care, safe drinking water and sanitation. Noting treaty body concerns, it urged the international community to support efforts to implement the poverty reduction strategy paper and other national development programmes. It recommended that (a) with the support of the international community, the State further strengthen the national security forces and law enforcement agencies through various capacity-building measures; and (b) with the assistance of the international community, it undertake a multipronged approach to improve the situation of children with greater focus on ensuring universal primary education, reducing infant and child mortality and rehabilitation of child combatants.

69. Concernant la scolarisation des jeunes filles, la délégation a souligné qu’il s’agit d’un problème culturel, car les jeunes filles ne sont pas automatiquement scolarisées. Cependant, leur taux de scolarisation s’élève à 60 % et va progresser avec la création des structures.

72. Au sujet des violations à l’égard des femmes et des enfants, la délégation a encore signalé l’aide apportée par les organismes
internationaux dans la vulgarisation de la loi 06-032, en direction des jeunes filles ; et les femmes dont les droits sont violés ont pris
connaissance de cette loi. Une vulgarisation a également eu lieu au niveau des préfectures. Des formations pour les para-juristes ont été
menées pour les aider dans leur travail de terrain. Concernant la CRC, un plaidoyer pour la ratification du CRC-OP-AC a eu lieu auprès
du Gouvernement.

Conclusion and Recommendations

11. Continue its extensive reforms with a view to addressing institutional shortcomings and weaknesses, and develop an integrated
agenda of human rights and public security as well as the development agenda towards poverty and illiteracy eradication (Nigeria);

13. In the context of reforming the security sector, review training materials used by security forces in order to include child protection
as a preventive measure against recruiting children in the armed forces (Canada);

26. Enhance awareness-raising campaigns to combat and eradicate female genital mutilation and other traditional practices harmful to
young women (Italy);

29. Demonstrate firm commitment to preventing the unlawful recruitment of child soldiers by directing the Ministry of the Interior to
systematically monitor self-defence militias (United States of America).

30. Take all necessary measures to combat the recruitment and use of children in hostilities, including by releasing children associated
with the conflict (Mexico);

31. Take appropriate action to adopt and amend domestic legislation, including the Penal Code, and effectively implement this
legislation to protect children from all forms of violence ( Slovenia);

32. Continue applying strategies to reduce criminality, address sexual abuse and child trafficking, and protect civilians from criminals
(Angola);

49. Take further measures to combat maternal mortality and, among others, give specific follow-up to the recommendation of the
Committee on the Rights of the Child concerning availability of free medical assistance to pregnant women (Netherlands);

50. With the assistance of the international community, undertake a multi-pronged approach to improve the situation of children with
greater focus on ensuring universal primary education, reducing infant and child mortality and rehabilitating child combatants
(Bangladesh);

51. Guarantee the right to education of all children and take effective measures to substantially increase the rate of attendance in primary
schools ( Italy);

52. Given the low level of children’s education and the illiteracy rates, implement measures necessary to change the landscape in this
area and promote the reintegration of child soldiers in society (Azerbaijan);

57. As recommended by CRC, solicit and receive technical and financial assistance from the international community, particularly from
United Nations bodies and programmes, to give tangible form to various sections of the poverty reduction strategy paper, especially
restoration of security, consolidation of peace and prevention of conflict, promotion of good governance, reconstruction of the economy
and diversification and development of human capital (Algeria);

59. Seek from the international community, and especially from United Nations programmes and agencies, support for strengthening or,
if not already available, for creating capacity-building and technical assistance programmes, especially in the areas of human rights
education, child labour, security, assistance to families and communities in fighting the effects of poverty and HIV/AIDS, education and
juvenile justice (Cote d’Ivoire);