



Convention on the Rights of the Child

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WRITTEN REPLIES BY FRANCE CONCERNING THE LIST OF ISSUES (CRC/C/OPAC/FRA/Q/1) RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF FRANCE UNDER ARTICLE 8 (1) OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT (CRC/C/OPAC/FRA/1) *

[Replies received on 31 August 2007]

WRITTEN REPLIES BY FRANCE CONCERNING THE LIST OF ISSUES (CRC/C/OPAC/FRA/Q/1) RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF FRANCE (CRC/C/OPAC/FRA/1)

Question 1: Please clarify which authority is in charge of the implementation of the Optional Protocol. Please also indicate whether there is any mechanism available for monitoring and periodically evaluating its implementation.

The Ministry of Defence is in charge of the implementation of the Optional Protocol as far as domestic measures are concerned. The Ministry of Foreign and European Affairs is responsible for international issues.

Moreover, the Ombudsman for Children submits annual reports to the President of the Republic and the French Parliament, in which she closely examines implementation of the Convention and its Optional Protocols, and makes recommendations. Similarly, the National Consultative Commission on Human Rights carefully monitors these questions through its "Children's Rights" subcommission.

Question 2: With regard to military schools, please clarify the status of such schools and the status of their pupils, especially those under 18. Please indicate whether they are subject to military disciplinary authority.

1. Status of military educational establishments

Military colleges (*lycées de la défense*) are teaching establishments within the remit of the Ministry of Defence. Their organization and functioning are provided for in Decree No. 2006-246 of 1 March 2006 (see attachment No. 1). They provide secondary education for pupils in middle and high schools and prepare them for the entrance examinations for the military higher education institutions in classes specially designed for that purpose.

These colleges are headed by senior regular officers who are school principals in overall charge of the establishment.

The teachers belong to the public education system. The annual academic cycles are the same as those in public education, and curricula are in keeping with those set by the Minister of National Education.

2. Status of pupils at military colleges

Pupils at military colleges are civilians and are never subject to the statutory and disciplinary provisions applied to military personnel.

The status of air-force technical education pupils is governed by the provisions of Decree No. 79-1092 of 12 December 1979. A draft decree amending this text, currently in course of ministerial scrutiny, increases by one year to age 16 the minimum age of entry for such education. Since their status is that of serving airmen, these pupils are taught and maintained free of charge.

Military pupils are subject to the provisions relating to military discipline. However, the college rules may depart from these provisions.

Question 3: Please provide detailed information on measures taken with regard to the physical and

psychological recovery and social reintegration of refugees, asylum-seeking and migrant children entering France, who may have been involved in armed conflict abroad.

The French Government has no specific information concerning refugee, asylum-seeking or migrant children entering France and who may have been involved in armed conflict abroad.

Assistance to them, which is necessarily personalized, is a priori more the province of the associations and non-governmental organizations sector. To the best of the French Government's knowledge, there are no specific facilities for absorbing/rehabilitating child soldiers in France. In fact, all programmes of this type are implemented locally in the country in which the armed conflict is taking place, the purpose being to reintegrate such children into their families or communities of origin and to help them find a vocational speciality/activity.

As stated in the initial report, French diplomats are particularly active in this field. The information describing their close cooperation with UNICEF and other United Nations agencies and through the European Union remains valid. France has also pursued its activities in this regard.

Accordingly, in the wake of the meeting held on 24 July 2006 at the United Nations Security Council, France decided to organize, in collaboration with UNICEF, an international conference entitled "Free Children from War" in Paris, on 5 and 6 February 2007. The 58 States attending adopted the "Paris Commitments". This political declaration lists the measures and processes that Member States undertake to implement for the effective protection of children involved in armed conflicts and for helping them to rejoin their families and their communities. The States, non-governmental organizations and international organizations represented also adopted a technical text, "the Paris Principles", updating the 1997 Cape Town Principles. This text brings up to date best practices for preventing minors, especially girls, from joining groups of armed forces, and aims to encourage the States concerned to put an end to impunity so often allowed those who use violence against children, and to prevent new recruitment.

In addition, a young French expert was posted on 1 June 2007 to the UNICEF office in Uganda to work with Ms. Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict. A regional cooperation attaché is also to be appointed to one of the French embassies in the Great Lakes region and to an area still to be determined. The task of these two cooperation attachés will be to design and start up by the beginning of 2008 a cooperation project amounting to €2 million on the subject of children in armed conflict.

Lastly, the French Government points out that in recent years it has significantly increased its share of contributions to the UNICEF budget, moving up from fourteenth to twelfth place among donors between 2003 and 2005-2006. A specific budget is allocated to measures in favour of child soldiers (€200,000 in 2005-2006).

Question 4: Please provide information on education and training on the provisions of the Optional Protocol. With regard to the human rights education provided at different levels of the French Defence Forces, please provide updated information on the human rights education available, in particular regarding the scope of application of the Optional Protocol. Considering that France is engaged in United Nations peacekeeping operations, and other multilaterally coordinated international military operations, please provide information on education and training on human rights, in particular on children's rights, provided to French citizens serving in these operations abroad. Please also describe other measures taken to disseminate information on the Optional Protocol.

There are a series of training courses on international humanitarian law within the armed forces, in the form of both initial and continuing training. A large part of these courses is devoted to respect for the principle of distinction and protection of vulnerable persons in armed conflict (including children).

While there is no specific course on the Optional Protocol to the Convention on the Rights of the Child as such, the legal affairs department and the general staff of the armed forces provide annual training to prepare legal advisers deployed on operations abroad. This training programme naturally includes aspects of international humanitarian law, of international human rights law and, more specifically, of children's rights.

In addition, all military personnel setting off on operations abroad receive instruction on the "rules of behaviour" that embraces relations with the local population and, in particular, issues relating to prostitution (including child prostitution) and gender issues.

It should also be pointed out that military personnel assigned to United Nations operations (such as observer missions) receive special training at the Inter-Army Intelligence Centre in Strasbourg which, while not dealing exclusively with children's rights, stresses deontology and respect for civilians. In particular, this topic is addressed as part of training on the "United Nations Code of Conduct" (three 3-week courses per year for French United Nations observers).
