



**Convention on the  
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD  
Fifty-first session  
25 May-12 June 2009

**IMPLEMENTATION OF THE CONVENTION  
ON THE RIGHTS OF THE CHILD**

**List of issues to be taken up in connection with the consideration of the  
third and fourth periodic reports of FRANCE (CRC/C/FRA/4)**

**PART I**

**Under this section the State party is requested to submit in written form additional and  
updated information, if possible by 6 April 2009.**

1. Please indicate the steps taken in the preparation of the State party report (CRC/C/FRA/4) and, in particular, any initiatives taken to:
  - (a) Involve non-governmental organizations and civil society associations as well as the Children's Ombudsman in the preparation of the report;
  - (b) Disseminate the concluding observations adopted by the Committee on the Rights of the Child (hereinafter "the Committee") following its consideration of the second periodic report of France (CRC/C/15/Add.240).
2. With reference to the table provided by the State party in annex III to its report, on the applicability of the principal rights recognized by the Convention on the Rights of the Child (hereinafter "the Convention") according to the case law of the Council of State and the Court of Cassation, please tell whether articles of the Convention have been directly invoked before the national courts since 2005 and, if so, provide examples.

3. Please tell how the various coordination mechanisms are managed and coordinated in metropolitan France and the overseas departments, and what human and financial resources are allocated to ensure that the provisions of the Convention are implemented consistently. Please also indicate what action has been taken in response to the Act of 5 March 2007 reforming child protection and to the provision of that Act which requires that the Government submit the report called for under article 44, paragraph 1 (b), of the Convention to the National Assembly at three-year intervals.

4. Please tell what measures have been taken to ensure that different groups of professionals working with and for children receive training in the Convention and, if appropriate, to make such training compulsory.

5. Please tell what measures have been taken to ensure that children throughout France have access to a toll-free helpline pending the establishment of a European Green Number for children and indicate the resources that have been allocated for that purpose.

6. Please specify the various databases in which children's personal data are collected and/or stored. With particular reference to the "Base élèves 1er degré" schoolchildren database (BE1D), please specify how the public interest would be served by the storing of personal data at the national level and indicate the reasons why the right of opposition provided for by law does not apply to this system. Please also tell the Committee what consequences might ensue if parents refuse to provide the required data on their children.

7. Please provide:

- (a) A summary of the findings and recommendations of the Controller General of Places of Deprivation of Liberty (established by Act No. 2007-1545 of 30 October 2007) following his visits to juvenile detention facilities;
- (b) Specific information on measures taken to remedy the problems that arise in juvenile detention facilities (suicide, overcrowding, violence and so forth);
- (c) Disaggregated data on the number of deaths of minors in detention since 2004 and the investigations conducted.

8. Please tell the Committee what measures have been taken in response to its concluding observations, in particular paragraphs 19, 23 and 25 thereof, on the report submitted under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/FRA/CO/1), as well as the measures that have been taken in response to the Committee's concluding observations, in particular paragraphs 8, 15 and 18 thereof, on the report submitted under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/FRA/CO/1).

9. Indicate the children's issues that the State party considers to be priorities for urgent attention from the standpoint of the implementation of the Convention.

## PART II

**Under this section, the State party is to briefly (three pages maximum) update the information provided in its report concerning:**

- New bills or legislation
- New institutions
- Newly implemented policies
- Newly implemented plans of action, programmes and projects and their scope
- New bills or legislation relating to the reform of the Order of 2 February 1945 on juvenile justice and the major changes considered, including the planned review of the minimum age of criminal responsibility
- The effects on children of the new Act No. 2004-439 of 26 May 2004 on parental separation procedures

## PART III

### **Data and statistics, if available**

1. Pursuant to article 4 of the Convention, please provide updated data (including a trend analysis) for 2006, 2007 and 2008 on the budgetary resources allocated for implementation of the Convention, and in particular data relating to:
  - (a) The budget allocated for the visits by the new Controller General of Places of Deprivation of Liberty to juvenile correctional institutions;
  - (b) The budget allocated for non-governmental organizations to disseminate knowledge of the rights established in the Convention;
  - (c) The reinstatement of civil status in Mayotte following the establishment of a Review Commission on 8 March 2000.
2. Please provide updated information (for 2006, 2007 and 2008) on the number of complaints filed with the Children's Ombudsman, the authors (children, family members, medical and social services or members of parliament), the grounds of the complaints and the follow-up action taken.
3. Please provide updated information (for 2006, 2007 and 2008) on the number of international adoptions, indicating the number of children coming from States parties to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption and the number of children from countries not parties thereto.
4. Please provide statistics on violence in schools and the preventive measures taken (for 2006, 2007 and 2008).

5. Please update the data on the entry into the labour market of young people over 15 years of age in response to the Social Cohesion Plan (2005-2009).
6. For the school years 2006/2007 and 2007/2008, provide data disaggregated by sex, age, membership of a minority or disadvantaged group on:
  - (a) The number of children, including those with disabilities (bearing in mind Act No. 2005-102 of 11 February 2005 on equal rights and equality of opportunities and the inclusion and citizenship of persons with disabilities) who have dropped out of school;
  - (b) The number of children permanently expelled and the number of children reinstated in school using public funds following expulsion from a government school, in particular for ostensibly having signalled their religious affiliation in a conspicuous manner.
7. Please provide updated information on the number of family reunifications each year between 2004 and 2008 and on the duration of the procedure.
8. Please provide statistical data since 2005 on:
  - (a) The number, age and sex of children who have been held in police custody and indicate how long they were held;
  - (b) The number of children from 16 to 18 years of age who were tried as adults during the past four years, including since the adoption of the new Act No. 2007-1198 of 10 August 2007;
  - (c) The number of reported cases of abuse or ill-treatment of children at the time of their arrest or detention and the follow-up action taken.
9. Please provide updated statistical data further to the report submitted under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/FRA/1) on the number of child victims of sexual exploitation (prostitution, pornography and trafficking) and indicate how many of those children had access to rehabilitation and social reintegration services.

#### **PART IV**

**The following is a preliminary list of major issues (other than those already covered in part I) that the Committee intends to take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive, as other issues may be raised in the course of the dialogue.**

1. The opportunities available to children to be heard.
2. The measures taken by the State party to protect child victims of discrimination, such as children belonging to ethnic minorities, children seeking asylum, children living in poverty, children with disabilities, children in conflict with the law, and so forth.

3. The measures taken in areas classified as “sensitive” in the wake of the urban violence that took place in the autumn of 2005, including measures in the areas of education and the prevention of violence in general and sexual violence in particular.
4. The purpose and implementation of antisocial behaviour orders; the use of ultra-high frequency sound transmitter devices (the Mosquito).
5. International adoption and the monitoring of adoption agencies.
6. Domestic violence, in particular corporal punishment, sexual abuse and child victims of incest; the dissemination of information to children on the availability of the national telephone helpline for abused children. Police follow-up of cases of domestic violence.
7. Health services and measures taken to combat discrimination in access to health care throughout the State party, including the overseas departments and territories.
8. Children exposed to poverty, in particular the progress made towards the long-term objective set by the State party to eradicate child poverty by 2020.
9. Child education, in particular the measures taken to address physical and verbal violence at school, the particular needs of children and the teaching of human rights in schools.
10. The State’s strategy to reduce the waiting time for processing the family reunification files of persons with recognized refugee status.
11. Criminal court trials of child rape cases.
12. The administration of juvenile justice, in particular the age of criminal responsibility, which the State is considering revising, the impact of the new anti-recidivism law, living conditions in juvenile detention facilities, the trial of children as adults and the detention of children with adults.

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