

COMMITTEE ON THE  
RIGHTS OF THE CHILD

WRITTEN REPLIES BY THE GOVERNMENT OF THE CENTRAL AFRICAN  
REPUBLIC CONCERNING THE LIST OF ISSUES (CRC/C/Q/CAR/1) RECEIVED  
FROM THE COMMITTEE ON THE RIGHTS OF THE CHILD IN CONNECTION  
WITH THE INITIAL REPORT OF THE CENTRAL AFRICAN REPUBLIC  
(CRC/C/3/11/Add.18)

[23 August 2000]

WRITTEN REPLIES BY THE GOVERNMENT OF THE CENTRAL AFRICAN  
REPUBLIC TO THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF  
THE CHILD CONCERNING THE IMPLEMENTATION OF THE CONVENTION  
ON THE RIGHTS OF THE CHILD

Question 1. Please provide additional information on domestic legal provisions with regard to the inheritance rights of boys and girls.

Please also indicate the extent to which customary practices are applied instead of domestic law.

Answer. The Family Code Law of the Central African Republic was promulgated on 11 November 1997 and entered into force in October 1998. Pursuant to articles 745 and 767 of the Family Code, there is no longer any legal distinction between boys and girls with regard to inheritance rights. According to customary practice, however, boys, in particular the oldest boy, is designated as the legal heir (administrator of the estate) out of concern for perpetuating the line. If there is no boy, the designated heir is the oldest girl. However, the family council ultimately decides. Despite the existing legislation, customary rules continue to influence modern law in rural areas. It is only in urban areas that customary practice is losing ground. In cases of conflict, the normal procedure is followed (courts). Mention was also made of the difficulty for women and children in the hinterland to have access to the modern system of justice. It would be very much appreciated if the efforts currently being made by the State and civil society to raise awareness of the Family Code, with support from development partners, could be strengthened and intensified.

Q.2. Please confirm and describe the different roles of the National Commission to Follow Up the Convention on the Rights of the Child (referred to in paragraph 39 (b) of the State party's core document (HRI/CORE/1/Add.100)) and the National Committee to monitor application of the Convention (referred to in paragraph 53 of the report).

In light of articles 4 and 27 of the Convention, please indicate, in particular, the resources available to these bodies, the existence of any local representatives and the impact of their work in improving implementation of the Convention.

A. The National Commission to Follow Up the Convention on the Rights of the Child was established as a result of a national seminar held at Bangui from 15 to 17 April 1993; it includes two categories of members: elected members and ex officio members. Elected members consist of representatives of NGOs working on behalf of children, professionals whose work involves children's issues and civic leaders who have worked for children's survival and development.

Ex officio members consist of: the representatives of the various ministerial departments working on children's issues and the representatives of the Office of the President of the Republic and of the National Assembly.

The National Follow-Up Commission is administratively attached to the Ministry of Justice, to which it reports.

The resources of the National Follow-Up Commission consist of State subsidies and support from UNICEF.

Pursuant to the statutes of the National Follow-Up Commission (chap. II, art. 5), prefectural committees have been established since the submission of the initial report. The prefectural administrative authorities have been made aware of the Commission and guidelines have been issued, but have not been implemented owing to financial difficulties. Despite the lack of resources, there is a genuine commitment and awareness on the part of the members of the prefectural committees, who are working to raise awareness of the Convention in churches and associations. A National Assembly has been set up on a democratic basis and a Children's Parliament was established on 16 June 1997. To illustrate the impact of the work of these institutions, the National Assembly adopted the Family Code, which provides protection for women and children. It also significantly increased the budgets of the Ministries of Health, Education, Social Affairs, etc. The Children's Parliament has already held two sessions since its establishment. Each session brought together nearly 60 children, from all corners of the world, in the National Assembly hall, and was attended by numerous national leaders and foreign diplomats. The Prime Minister personally took part in the Parliament's second session, together with the entire Government.

The Head of State also met with the Bureau of the Children's Parliament, to discuss children's rights issues. Another noteworthy event was the broadcast by the President of the Children's Parliament, over national and international airwaves, criticizing police blunders committed against children in the Sub-Prefectures of Carnot and Mbaiki. As a result of the young deputies' awareness-raising work, some children are beginning to lodge complaints against their parents in order to claim their rights (i.e. complaints by two children in the Kaga Bando Sub-Prefecture against their father for desertion). The young deputies also

organized a school campaign for disseminating a culture of peace. For its part, the National Commission for Follow-Up of the Convention has focused efforts on awareness-raising and advocacy work with decision-makers and the Armed Forces of the Central African Republic. The Commission drafted the initial report on the implementation of the Convention.

Q.3 Please provide information on the implementation and impact of the “Plan of Action for the Survival, Protection and Development of Children in the Central African Republic” and also provide information on efforts to alleviate poverty and improve standards of living in the State party.

A. A National Plan of Action was adopted on 30 January 1993; it has not yet been implemented due to the lack of an overall policy document for the survival, protection and development of children in the Central African Republic. However, children’s survival and development are addressed in the framework of the various sectoral plans, such as the development plans for the health, education and environmental fields, etc. The draft policy document is currently being considered by the Government prior to submission to the National Assembly. In addition, a National Programme of Action to Combat Poverty has just been established and has been introduced on an experimental basis in the pilot prefectures of Nana Mambéré, Ombella-Mpoko and Ouham.

Q.4. Please provide additional information on the role played by civil society in implementing the Convention.

Please also provide a brief analysis of the strengths, weaknesses and constraints on civil society in the context of implementing the Convention.

A. Certain associations, NGOs and religious denominations have given consideration to the concerns contained in the Convention. The churches, particularly the Catholic Church, have always conducted activities in the field of children’s educational, health and nutritional development. These activities are conducted through Church NGOs or specialized associations and movements. In signing a partnership agreement with the State on 12 January 1997, the Catholic Church aimed to respond to the country’s concerns by reviving the educational system on new, healthier and more dynamic bases, in particular by providing both academic, moral and religious education and by combating discrimination between girls and boys. The most representative of the other associations and NGOs dealing with children’s rights are: (i) the SARA MBI GA ZO Association, whose role is to take in orphans and restore them to their families; (ii) Village SOS Kinderdorf (international), which takes in orphans and provides them

with guidance and training for a meaningful life in society; (iii) Fondation Voix du Coeur, whose role is to supervise and train unemployed youth but also to provide accommodation for children in conflict with the law; (iv) Evangelical Centre for the training and protection of craft workers, which dispenses training in embroidery, knitting, dyeing and weaving; (v) the Association of Pupils and Students Combating AIDS of the Central African Republic; (vi) the National Scouting Federation, whose role is to provide training and supervision for young people; (vii) Demain la Vie, based at the Sainte Thérèse school, which, through information and awareness-raising work and support for initiatives by teenagers, aims to reduce HIV seroprevalence and AIDS among teenagers.

Unfortunately, the establishment of NGOs is currently a fashionable phenomenon, for apart from the above-mentioned examples, most NGOs are artificially created to exchange promises of action on behalf of children for funding which would benefit their directors more than the children concerned. Many NGOs lack appropriate and clearly-defined objectives. They often set multiple objectives which are too ambitious for their capacities. Their objectives do not always take the real needs of the target groups into account. These NGOs are generally characterized by lack of personal conviction or ideals, lack of a minimum of endogenous capacity, poor management of the subsidies obtained, lack of long-term plans of action and strategies, and, last but not least, lack of overall coordination.

Nevertheless, some NGOs and associations, working together with government agencies, make very positive contributions to the preparation of plans and programmes, bills and statutory instruments relating to the protection of children. Representatives of NGOs participated actively in the drafting of the initial report. The Department of Social Affairs, in particular the Espace Enfant, organized a workshop held on 18 and 19 August 2000 which reviewed the activities of these NGOs with a view to refocusing and reorganizing them.

Q.5. Please describe the progress, since publication of the report, in making the provisions of the Convention widely known, including through appropriate translation, and in ensuring broad dissemination of the report through, inter alia, translation of the report into the Sango language, training in children's rights for government employees (such as the police, judiciary and relevant Ministerial officials), the use of radio and television broadcasts for general dissemination, discussions in villages and through discussions and the teaching of children's rights in primary and secondary schools.

A. Efforts have focused on making the contents of the Convention widely known through the following: (i) establishment of local committees to follow up the Convention; (ii) organization of a training seminar for administrators responsible for education (Elementary I and II) in certain prefectures; (iii) organization of two seminars for teachers which resulted in the preparation of teaching notes for use in classes on the Convention at the Elementary I and II levels. The notes are shortly to be inserted into the new curriculum; (iv) lectures given during the celebration of African Children's Day on 16 June; (v) distribution of the Convention (French and Sango versions). The Sango version has not yet been sufficiently distributed, and demand is still unsatisfied; (vi) local radio broadcasts; (vii) training of law enforcement officers; (viii) training of judges; (ix) training of judicial police officers and social workers in the Convention; and (x) training of members of Parliament.

Q.6. In light of article 2 of the Convention, please present an analysis of the different forms of discrimination that affect children, including children with disabilities, children from minority groups and child refugees.

A. Generally speaking, no forms of discrimination against children are observed. However, certain types of discrimination still exist in the areas of inheritance rights, health and education. The education of disabled children tends to be neglected by certain families of rural origin or living in rural areas. Children belonging to minority groups (Pygmies and Peuhls) are responsible for their own marginalization due to the influence of their culture and of their nomadic way of life.

Q.7. Please describe the efforts made to ensure that the views of a child are respected including, *inter alia*, in the context of legal and administrative proceedings, in the family and at school, in light of article 12 of the Convention.

A. With the exception of children in the 0-6 age group, children's views are traditionally not taken into account within the family. Parents exercise their authority over children in the other age groups out of fear of a decline in their authority. Children's views are taken into account in school, however, owing to the participatory, active methods used. In the legal sphere, minor children may testify (Code of Criminal Procedure, art. 61) without being under oath, in the uninterrupted presence of an adult relative. Children's views are sought to decide on custody in case of separation of the parents. In some cases, children appeal to their teachers or clergymen to persuade their families to take their views into account. It should be noted that children may express their views officially through the child peace ambassadors and the Children's

Parliament. In addition, since the entry into force of the Family Code of the Central African Republic, efforts in this area have included radio and television debates among young people and pupil representation in the parent-teacher associations.

Q.8. Please provide further information on the incidence of infanticide in the State party including as a result of traditional beliefs concerning, for example, children born in the breech position, and on the measures taken to prevent and combat this phenomenon.

A. Abortion is among the six leading medical causes of maternal mortality. The underlying causes are early sexual relations among ignorant teenagers and the fact that young people are inadequately informed about sex, lacunae in the legislation concerning abortion, leading to illegal abortions, and traditional beliefs. Women's lack of decision-making power regarding family planning leads to multiple, closely-spaced pregnancies, with an associated risk of abortion. No data are available on traditional beliefs concerning breech births. However, in both rural and urban areas, several cases of breech births and even abortions can be accounted for by witchcraft, taboos, incest, rape, etc. The Government is in the process of introducing a programme on reproductive health, including adolescent health. The Information, Education and Communication (IEC) component plays an important role in reducing the importance of traditional beliefs.

Q.9. With reference to paragraph 59 of the report, please explain the opportunities available for children to seek legal assistance from a lawyer.

A. Article 146 of the Code of Criminal Procedure of the Central African Republic provides such opportunities, stipulating: "The children's judge shall designate a legal counsel or, if such is lacking, an official, law officer or citizen whom he shall deem capable of defending the child at both the investigatory and trial stage." Problems remain with regard to civil procedure; the Government does not, for the time being, have the means to enable children to seek the assistance of a lawyer. Although legal aid does exist, the procedure for obtaining it is very complex.

Q.10. In light of article 7 of the Convention, please provide information on measures taken to improve birth registration, in particular in the rural and remote areas of the country, and to ensure that parents seeking registration are not charged with fees for this service.

A. In urban areas steps are taken to register all births (declared either by lying-in clinics or village chiefs). For births which have not been declared within the statutory time limit, the court issues a birth certificate by means of a special ruling. In rural areas, the village chiefs are

responsible for registering all births and declaring them to the principal or secondary registry office (established by the Ministry of Territorial Administration exclusively). Important efforts have focused on decentralizing the registry centres. In certain prefectures (Ouham and Nana-Gribizi, which are pilot areas), community workers travel to the remotest villages by bicycle to register births and draw up birth certificates. Steps have been taken to reduce the backlog of late birth registrations (special rulings).

A contribution is asked of parents as a municipal operations tax, in particular for the purchase of registers. The tax rate is set by the Ministry of the Interior (CFA 1,000 for the drawing up of a birth certificate throughout the territory). However, certain communes raise these taxes on their own behalf, which should not happen. Rates also vary from one commune to another where special rulings are concerned: in Bangui, for example, a special ruling costs CFA 3,500, while the fee is CFA 6,500 in other provincial cities and, is highest in Bambari, (CFA 7,000), which raises a problem regarding access to of the civil register.

Other problems concerning the civil register are the following: (i) illiteracy of parents, who do not understand the need for birth registration; (ii) remoteness of registry centres; and (iii) corruption and graft by registry officers, who turn the free service which they are supposed to be offering the people into a lucrative source of income for themselves, further burdening families who are already poor by forcing them to pay extra fees for services to which they are entitled free of charge and by law. Bangui is the only city which has made birth registration a priority, with French assistance. A French technical adviser assigned to the mayor of the city of Bangui has been working for several years to computerize the registry centre and improve the reliability of the birth registration and other necessary information.

Q.11. Please provide information on any practices of police brutality, of corporal punishment in the judicial process, in the family or in schools and of violence between children.

A. Pursuant to the legislative provisions in force concerning children, police brutality is prohibited in all spheres (justice, education, etc.). It is categorically prohibited by article 112 of the country's Criminal Code. However, in the absence of a detention centre for minors, detained or convicted youth are subjected to brutality because they are incarcerated together with adult prisoners. In addition, hesitations regarding these provisions persist in families where corporal punishment is common practice, who justify it on the basis of childrearing practice; in the prisons (an example was the Carnot Sub-Prefecture, severely criticised both domestically and internationally) and in the schools, where despite official prohibition corporal punishment is still



used sporadically. Violence among children occurs frequently during recreational and community activities. Children living and working in the street are frequently victims of physical attacks from adults and other children.

Q.12. Please provide information on the impact of polygamy on the enjoyment by children of their rights, including inheritance rights.

A. Legally speaking, polygamy has no impact on children's enjoyment of their rights. The Family Code of the Central African Republic makes no distinction among children. Socially speaking, polygamy has implications for children's enjoyment of their rights inasmuch as husbands' low incomes make it impossible for them to meet the needs of large families, which accounts for the high incidence of school drop-outs. In rural areas polygamous fathers prefer to bring their children to work in the fields rather than register them in school. In short, protection of children's rights still involves many problems at the practical level with regard to inheritance rights. Frequently the shrewdest party (generally the deceased's brothers) circumvents the normal consensus-based procedure by obtaining certificates legally entitling him to inherit.

Q.13. Please provide a brief assessment of the various alternatives available to a child deprived of his or her family environment and of the capacity of existing State and non-governmental facilities and of extended families to care for such children.

Please also indicate the number of children in need of alternative care and the number estimated to currently receive such assistance.

Please provide information on the facilities available for the training of staff who work with children deprived of their family environment and indicate what efforts are made to monitor alternative care mechanisms.

A. Children deprived of a family environment are generally taken in by the extended family. In some cases the extended family lodges an application for guardianship with the court. In certain communities there are children in need of special protection who live with and serve as guides for their visually-handicapped parents (Ouham Prefecture). Generally speaking the only existing governmental facility for caring for these children is the Bangui Mother and Child Care Centre. In rural areas no State facilities exist for caring for this category of children. However, activities are conducted on a sporadic basis in both urban and rural areas through NGOs, associations and religious denominations (Catholic Mission). Caring for children deprived of a family environment, therefore, raises some serious problems. Among these are the lack of State and non-governmental facilities for caring for such children, the poor capacity of existing

structures and the insufficient numbers of properly-trained staff to work with them. SOS Children's Village is seeking a new site to set up another care facility for such children.

Q.14. Please describe the main problems regarding implementation of the Convention's provisions in the context of the adoption or guardianship of children.

Please also explain the main differences between the "simple" and "full" adoption proceedings and with the "guardianship" procedure, as described in the report (para. 129).

Please describe the forms of ill-treatment suffered by children who are taken in by families under guardianship proceedings and the measures taken to end such practices.

Please indicate the numbers of adopted children, the numbers of children cared for under guardianship provisions and the numbers of children estimated to suffer from ill-treatment.

A. The same procedure is followed for both "simple" and "full" adoption. In both domestic and international adoption procedures the application is submitted by the person wishing to adopt to the court of major jurisdiction, or, if he or she is domiciled abroad, to the court of the place of residence of the person to be adopted. In the case of a foundling or abandoned child, jurisdiction may be exercised, if necessary, by the court of the place where the institution which has taken the child in is located. On pain of inadmissibility, the applicant must attach to the application a written statement from the institution or individual who has taken in the child granting consent to the adoption. Processing of the application and discussions concerning it take place in chambers.

In all cases the court, after arranging for an investigation by any qualified individual and verifying that all the legal requirements have been met, accepts or rejects the application without stating the reasons for its decision. The judgement pronouncing the adoption is entered into the civil register of the adoptee's place of birth.

It should be noted that the establishment of the Adoption Committee by an Interministerial Decree of 21 April 1995 slightly altered the adoption procedure, as the Committee is responsible for evaluating the different adoption cases prior to submitting them to the court for a judgement. This Committee was originally established because certain NGOs were suspected of using the adoption procedure for child trafficking. The reason for this is the fact that parents are not well informed about the difference between "simple" and "full" adoption.

In the case of "simple" adoption, children continue to belong to their family. In "full" adoptions, however, children no longer belong to their original families. It should be mentioned that a few cases of ill-treatment from adoptive parents have been reported. Since the entry into

force of the Family Code Law, the provisions of article 527 have frozen action on international adoption files in order to allow time for the situation to settle; a bill correcting this situation is currently under consideration by the Government. The Adoption Committee has received 64 applications for simple and full adoption since 1995. From 1995 through 1998, 11 applications by nationals and 13 by foreigners were submitted to the court with a favourable recommendation and 17 applications were rejected. Since the freeze on adoption procedures in 1998, 23 applications are awaiting decisions, 16 involving adoption by foreigners and 7 by nationals.

Q.15. Please explain which State structures have responsibility for formulating and implementing policy and programmes in favour of children with disabilities.

Please provide a brief assessment of the overall situation of children with disabilities, including physical and cognitive disabilities, and the main problems and difficulties faced by such children in terms of the respect of their human rights.

A. The Ministry of Social Affairs, Promotion of the Family and the Disabled is responsible for coordinating policy and programme development work for the benefit of disabled children. Policy is implemented through programmes and projects conducted by the Departments of Social Affairs, Health and Education, among others. All these departments face a range of difficulties, chief of which is the lack of care facilities. Nevertheless, a policy for the advancement of persons with disabilities has just been developed and is in the process of being adopted by the National Assembly.

Q.16. Please provide further information on the access to health care of urban and rural children including, *inter alia*, primary health care, prenatal care and immunization, indicating as far as possible the type of care available across the country.

Please provide information, in particular, on efforts to address the high infant and maternal mortality rates including through information campaigns explaining the importance of prenatal care.

Please indicate the extent to which children from poor families or children without families have access to a broad range of health services.

Please also draw attention to particular weaknesses and problems in the health services available and indicate efforts under way to address these concerns.

A. Generally speaking, 45 per cent of the population of the Central African Republic live within a 5-km radius of a health facility. This figure conceals a multitude of inequalities:

91 per cent of urban women live less than 5 km from a maternal and child health centre as opposed to 23 per cent of rural women; conversely, 7 per cent of urban women lack any services whatsoever as against 45 per cent in rural areas (Population and Health Survey 1994/1995). Coverage is not outstanding. Regarding prenatal consultations, 91 per cent of births are preceded by at least one consultation in urban areas while in rural areas 51 per cent of pregnant women complete the four doctor's visits recommended by the World Health Organization. With regard to childbirth, 50 per cent of pregnant women use the health facilities (Population and Health Survey 1994/1995). This rate breaks down as 78 per cent in urban areas compared with 38 per cent in rural areas. Infant care coverage was 39 per cent in 1995 for the country as a whole. The average number of visits per infant, 5.2, is far below the WHO recommendation (15 visits).

Vaccination coverage remains low

| Antigen | 1994-1995 | 1996 (MICS) | 1999 (SMS) |
|---------|-----------|-------------|------------|
| BCG     | 93        | 94          | 55         |
| DTP     | 48        | 53          | 38.2       |
| OPV     | 46        | 51          | 34         |
| Measles | 52        | 46          | 40         |

At the curative level, basic health care for children consists of domestic programmes to combat disease (malaria, diarrhoeal diseases, acute respiratory infections and HIV/AIDS through treatment of opportunistic infections, etc.).

Generally speaking, the people's health has not improved significantly in 40 years of independence. The major scourges, malaria, sleeping sickness and intestinal parasites, have not been eradicated. The objective of Health for All By the Year 2000 quickly proved unrealistic. The serious problems facing the health services are: (i) lack of qualified and specialized staff (paediatricians, gynaecologists, psychologists, etc.); (ii) lack of infrastructure for health facilities.

Given this situation the Government has taken steps to reduce infant and maternal mortality, which stand at 97 per 1,000 and 948 per 100,000 live births respectively: these consist of the adoption and implementation of the National Health Development Plan 1988-1998, most of whose programmes concern maternal and child health and are based on the Primary Health Care-Bamako Initiative (SSP-IB) strategy.

The following are some of the activities conducted under the Plan: (i) increase in the share of the budget allocated to the health sector; (ii) increase in health workers; intensification of activities under the Expanded Vaccination Programme (PEV) with the holding of vaccination

days; (iii) intensification of awareness-raising campaigns concerning the importance of prenatal consultations and family planning; (iv) experimentation with community-based supervision in the prefectures; (v) identification of needs in the area of reproductive health for development in the maternal and child health and family planning services; (vi) improvement of the country's coverage in essential generic medicines; and (vii) commitment to decentralizing reproductive health activities vis-à-vis general health services.

Q.17. Please provide information on the efforts being made to extend access to clean drinking water.

A. The following measures are currently being taken to improve access to clean drinking water: (i) strong political will to work towards the development of the sector; (ii) steps to make drilling equipment available and increase operational capacities for implementation; (iii) policy framework for water resource development currently under preparation; (iv) improvement of programming framework; (v) water sector information system, currently under development.

Despite these measures taken in the urban centres, efforts to extend access to clean drinking water have been inadequate. Serious problems are involved in extending the National Water Corporation's water supply network. In certain outlying areas, drilling is conducted by certain projects and NGOs, but much remains to be done. Although access to clean drinking water has increased steadily in the last 10 years, it is still enjoyed by only about 30 per cent of the population.

Q.18. Please provide information on the incidence of HIV/AIDS, its impact on respect for the rights of children and the measures currently undertaken to address it. Please provide information on adolescent health including, inter alia, reproductive health. Please provide information on the existence of mental health facilities and programmes, on the access of children to mental health services and on any problems that may exist.

A. The available figures confirm that AIDS is a major threat to the survival and development of children, although efforts are being made in the remaining health sectors and the Expanded Programme of Immunization. Since the start of the programmes, 200,000 people have been infected by HIV/AIDS. The Solidarity and Social Action (SAS) Centre has registered 66,000 orphans; according to a 1999 estimate, 14,000 children aged 0 to 14 are infected and 5,000 of those will probably already have developed AIDS; 35,000 children aged 15 to 19 are infected, many of them schoolchildren.

Prevalence rates among pregnant women range from 7 per cent to 22 per cent, depending on locality, and there is no significant difference between town and country, some provincial towns recording prevalence rates considerably above those of Bangui (source: National Anti-AIDS Programme).

These figures are relative. According to figures from the Bangui Paediatric Centre for 1999, out of 175 sick children tested, 95 were infected, 38 of them boys and 57 girls. The age of children suffering from HIV/AIDS varies from four months to seven years, although one child of 14 and another of 15 were also found to be infected (source: annual report of the Psychological, Medical and Social Monitoring Service of the Department of Social Affairs). According to information from the Anonymous Screening Unit (UDA), among young people aged 15 to 24 who came for voluntary testing, 17.84 per cent of the girls and 3.86 per cent of the boys were HIV-positive.

The fact that no screening or blood-donor testing has been carried out for five months in some health centres is now a major problem. It is a cause for concern to many of the agencies and non-governmental and governmental organizations involved in a range of activities to combat or prevent AIDS or to provide moral and material support to those infected or affected by AIDS. A reproductive health programme has been devised. Health services for adolescents have been created in all major towns and now have some facilities to provide a service to adolescents.

The work undertaken is based on research and surveys that have helped identify adolescents' main health problems: (i) malnutrition; (ii) unemployment and underemployment; (iii) rural-urban migration; (iv) unwanted pregnancies; (v) deliveries with complications; (vi) induced abortions; (vii) sexually transmitted diseases (STD); (viii) HIV/AIDS; (ix) tobacco use; (x) drug addiction; (xi) accidents; (xii) emotional and mental problems; (xiii) sickle-cell anaemia.

As yet there are no facilities for dealing with children's mental health.

Q.19. Please indicate whether further progress has been made, since publication of the report, towards making social security benefits accessible to a larger percentage of the population. Please indicate what efforts are being made to extend social security coverage further and what success is expected.

A. Social security benefits cover only the children of waged employees (public and private sectors). There is no provision for peasant children, and the situation has deteriorated since the

publication of the report, because so few people pay their social security contributions. Social security covers 80 per cent of health costs for workers' children; there is no provision for coverage of the children of the non-active population.

Q.20. With reference to paragraphs 136 and 137 of the report, please provide information on measures taken to combat the ongoing practice of "clandestine" excision.

A. Officially, excision has been abolished, but it is still practised clandestinely.

Awareness-raising and information campaigns are conducted and a committee has been formed to combat practices harmful to children and girls in this way. However, the lack of material resources prevents these activities from being fully effective.

Q. 21. Please provide information on the efforts under way to improve the access of children to education in the State party. In particular, please provide information on the national education budget, on enrolment rates (disaggregated by gender), on the ratio of pupils to teachers, on the capacity and quality of the existing educational infrastructure and on the drop-out rate of children from school. Please describe the measures that have been taken to address problems in these domains. Please provide additional information on changes to school curricula, referred to in paragraph 186 of the report. Please also indicate the main languages in which formal education is conducted, including the extent to which the Sango language and minority languages are used.

A. According to the Education Act (No. 97.014) of 10 December 1997, "Education is a national priority ... children are guaranteed access ... without regard to sex, social status, race, religion or political affiliation" (art. 1). "School attendance is compulsory between the ages of 6 and 15" (art. 6). "The right to education requires the involvement of all communities". Priority is given to basic education and its main aims are girls' education and, in the long-term, education for all (art. 8). Education expenditure currently accounts for 18 per cent of the national budget and should gradually expand to 24 per cent or 25 per cent by 2005.

The education system as a whole suffers from serious deficiencies, which make it impossible for it to support development activities. According to the anti-poverty plan for 1999-2011, of the National Observatory on Poverty and Sustainable Human Development, the total number of children in basic level I (307,625) and the number of teachers (3,629) account for less than 70 per cent of the demand for education. Inadequate reception facilities, combined with the military, social and political upheavals the country has undergone since 1990, have resulted, *inter alia*, in overcrowding in schools.

At the national level, in 1994, there were 94 children to a class in basic level I and 81 in basic level II. The average is now estimated to be 180 children per class for basic level I and 200 in basic level II in the Bangui region. According to statistical data for basic level I in 1997-1998, the gross enrolment rate was 60 per cent and the net rate was 46 per cent. The gross enrolment rate for girls was 49 per cent and for boys, 70 per cent. The net enrolment rate for girls was 38 per cent and for boys, 53 per cent. The gross enrolment rate in secondary education was 20 per cent - 13 per cent for girls and 27 per cent for boys. The drop-out rate in basic level I was 10 per cent, and 26 per cent in basic level II and secondary education.

According to another source, "Education for all - report 2000", by the Ministry of Education, the gross enrolment rate in basic education in 1997 was 46 per cent - 37 per cent for girls and 55 per cent for boys.

This report shows that, the net enrolment rate is still very low. It has tended to hover around 41 per cent, with a significant difference of nearly 10 points in favour of boys. The situation that needs improving is one that has deteriorated since 1991, when the net rate for girls was some 22 per cent, while for boys, it was nearly 28 per cent. Girls' access to school continues to give cause for great concern, even though the gap between boys and girls has been stable since 1997.

The girl/boy gap is more pronounced in provincial areas than in Bangui, according to Bulletin No. 5 on HIV/AIDS and teachers (UNICEF Bangui-UNDP Bangui and other partners); in five education authorities, the percentage of students who are girls is as follows:

|                |                |
|----------------|----------------|
| Bangui Vakaga: | 48.21 per cent |
| South Central: | 40.75 per cent |
| West:          | 36.69 per cent |
| North:         | 32.39 per cent |
| East Central:  | 36.34 per cent |

Out of 100 students registered in the first year of study (reception class), 43 boys and 35.4 girls went on to elementary year 2 and 28.3 boys and 23.1 girls went on to middle year 1. Thus, according to "Education for all - report 2000", less than 30 per cent of children who enter the first year complete their primary schooling.

Sango is commonly used in schools as a backup to French. In Ouham-Pendé, both languages are used.



At current drop-out rates, it is clear that if nothing is done, illiteracy will sweep the country, with unimaginable consequences for young people and children.

The effect of AIDS on teachers is dire. Where the cause of a teacher's death is known, HIV/AIDS is responsible in 85.71 per cent of cases. It is thus the main reason for the lack of teachers due to death. Between 1996 and 1998, 340 teachers died. The consequences vary: (i) unavailability during the year; (ii) loss of many teachers, young or experienced; (iii) closure of classes or even schools (in theory, it is possible that 57 State primary schools of six classes each could be closed); (iv) numerous children orphaned; (v) deterioration of the school system.

But for HIV/AIDS, 25,000 more children aged 6-11 could have gone to school in the last three years. In the country's five education areas, at least 71,520 children aged 6-11, including 27,977 girls, will be unable to go to school because of AIDS between 1997 and 2005. (Source: Project on the impact of HIV/AIDS on the Central African Republic's education system and monitoring of the progress of "Primary education for all". National summary for October 1998-January 1999). However, the rise of private education, provided chiefly by religious foundations, which are more reliable and pay greater attention to girls' education, will doubtless help to improve the country's education system, chiefly by developing basic education and children's civic and moral values.

Q. 22. Please describe any pre-school facilities that may be available. Please provide additional information on leisure and recreational activities of children, including children from poor and rural communities.

A. There are 179 kindergartens in the entire country for a total of some 12,000 children; only 60 per cent of these institutions are in good condition. In some places, such facilities no longer even exist. The State's objective is to have at least one kindergarten per city district or village. Playgrounds are more or less non-existent, apart from a few neighbourhood sports fields and youth clubs that take all children without distinction. Although a number of religious foundations provide children's leisure and recreational activities, in poor or rural communities the children are not very interested.

Q. 23. Please provide additional information on efforts undertaken by the State party and by NGOs to assist children living or working on the street, and on the results of such efforts. Please also provide information on any problems of drug abuse by children and efforts taken to address this phenomenon.

A. According to a survey completed in May 1999, on Bangui and five provincial towns, there are 2,629 children in all living and working on the street, distributed as follows:

(i) Bangui 1,633; (ii) Bimbo 152; (iii) Bégoua 227; (iv) Berbérati 80; (v) Bouar 205; Kaga-Bandoro 129; (vi) Bambari 123.

This study shows that child labour is widespread in towns as well as in rural areas. In towns, apart from traditional domestic work, children are employed in menial jobs such as rickshaw-puller, or selling bread or food, yoghurt or water. Under parental pressure, children are forced to do these tiring jobs so as to bring in a little money; in rural areas they do agricultural work. Sowing and harvest time, and the hunting and fishing seasons are often the cause of absence from school or even dropping out.

The Labour Code, which protects children at work, is more or less unknown except in large companies. There are not yet any State institutions to deal with children in this situation, and although there are local NGOs, these are constantly beset by material and financial difficulties. The Government is considering a draft policy document on children's survival, protection and development.

Drug use is commonplace among this group of children: glue, polish and magnetic tape among pre-adolescents and cannabis among adolescents. In order to combat the problem, the Government has created a Central African Republic Anti-Drugs Bureau (OCLAD). A number of NGOs, including Blue Cross and the Association des Jeunes pour la Drogue, support the Government in these efforts. Yet this is still not enough to halt drugs use, a problem that is spreading rapidly among adolescents and even very young pre-adolescents.

Q. 24. Please provide information on the numbers and origin of child refugees in the State party, the assistance available to them, including access to health and education, and any problems they might face.

A. The Central African Republic has for many years been a country of asylum for refugees and currently shelters more than 50,000 of various nationalities, some of the largest groups being Sudanese, Chadians, Congolese from the Democratic Republic of the Congo and Rwandans.

There are large numbers of children among these refugees: 4,645 of various nationalities in Bangui (the figure has been double that during periods of major influx); 15,044 Sudanese children in Mboki; 2,188 Chadian and Congolese children in Boubou (near Bossangoa); 141 Sudanese children in Kaga-Bandoro.

Fifteen of the children in Bangui are unaccompanied minors from Rwanda, who have been placed together in a house rented by UNHCR and are being looked after by social workers from the National Commission for Refugees. In Boubou (Bossangoa), 47 Congolese unaccompanied minors have been lodged with Congolese refugee families.

Humanitarian measures have been taken to help these children, including health care, education in State schools or schools built specially for refugee children in the camps, scholarships to enable a number of them to attend secondary school or university. Generally speaking, monitoring is carried out with the help of the National Commission for Refugees and UNHCR.

Q. 25. Please provide information indicating what efforts are currently under way to establish a juvenile justice system, including juvenile justice courts and judges, appropriate training for officials, alternatives to detention or imprisonment, and the existence of rehabilitation facilities. Please describe the results obtained by these efforts.

A. Starting in 1995, a juvenile justice system has gradually been established in order to deal with the specific problem of children in conflict with the law: (i) the Judiciary (Organization) Act (No. 95.0010) of 22 December 1995, articles 36 and 37, established a juvenile court, and the 1st Juvenile Court is now in operation in Bangui; (ii) premises within the Appeal Court have been made over into a juvenile court, with financial help from UNICEF; (iii) four magistrates have been trained as juvenile judges and one of them was appointed President of the Court in 1998 and confirmed in that post early in 2000.

In the provinces, offences of any kind committed by minors are investigated and tried in chamber by the President of the Court. As an alternative to detention, the court will place a young offender in the care of a close relative and order educational measures such as enrolment of the child in a school, if he is not already enrolled or, in very rare cases, placement with an NGO in Bangui (Voix du Coeur), although it is not properly equipped for this.

The Bangui Juvenile Court heard its first case on 23 February 1998. In the 50 or so cases it has considered, 15 judgements have been handed down, imposing suspended prison sentences of between three and six months, while in the same period, the Bangui Criminal Court, in cases concerning adults in 1999, handed down judgements ranging from 10-month suspended prison terms to two years' imprisonment. The figure for juveniles can be attributed to the fact that most of the minors who are prosecuted are given conditional release by the procurator's office.

There is no juvenile prosecutor's office and no judicial police specializing in preliminary investigations into offences committed by minors.

The fact that there are no prison facilities for minors, or rehabilitation centres or provision for supervised education in an open environment limits the effectiveness, and even makes it difficult to justify the very existence, of a body that could help to protect children's rights and their chances of reintegration into society.

Q. 26. Please provide further information and statistical data on children deprived of their liberty, including the length of their deprivation and measures taken to:

- (a) Ensure that deprivation of liberty is used only as a last resort;
- (b) Guarantee the introduction of legal aid;
- (c) Ensure the periodic review and monitoring of children's placement;
- (d) Ensure continued contact between the child and his/her family;
- (e) Ensure the effective and periodic monitoring of the facilities;
- (f) Ensure the separation of children from adults;
- (g) Introduce an effective complaint procedure which is independent from the

authorities of detention and correction institutions, to deal with issues such as ill-treatment and violations of the children's rights;

(h) Ensure that children in detention continue to receive education, health and social services.

A. In 1999, five judgements were handed down against minors, imposing what were basically suspended sentences, in accordance with the principle currently applied, that deprivation of liberty should be a truly exceptional measure. In addition, there are no detention facilities for children in towns and the lock-ups are not really designed for gendarmerie or police custody.

Conditional release is also granted, with minors being required to attend regular hearings.

Prisons are regularly inspected by the Attorney-General.

Children in custody are subject to a special regime under the supervision of a judicial police official, but unfortunately, in cases of misconduct, the child is put in prison with adults. This is a situation of current concern to the Government.

Parents have the right to communicate with children in detention.

There is no special detention centre for minors. Minors are therefore not held separately from adults.

Regular visits are made to detention centres by the National Committee to monitor application of the Convention, the Human Rights League, the Observatory for Human Rights, the Office of the High Commissioner for Human Rights and other children's rights NGOs.

Q. 27. Please provide information on practices of child labour, including on relevant domestic laws, and on any measures that may have been taken to address this phenomenon. Please also indicate whether the State party intends to ratify ILO Convention No. 138 concerning the Minimum Age for Admission to Employment and Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

A. As stated in the answer to question 23, the results of the child labour survey confirm that the problem exists in the Central African Republic. The Head of State has recently promulgated Act No. 005/00 of 4 May 2000, concerning ratification of ILO Convention No. 138.

Q. 28. Please provide information indicating the methods used by the State party to deal with accusations of rape and other sexual abuse, information on the numbers of cases reported, and information indicating the numbers of persons prosecuted for such offences. Please also provide information on practices of sexual exploitation and on the measures taken to combat them.

A. Those who commit rape and other sexual abuse are prosecuted in accordance with the Criminal Code, articles 195 to 198. A number of cases of indecent assault on a minor aged under 15 have been referred to criminal courts. Prostitution is a problem involving minors aged between 12 and 18, frequently as a consequence of their parents' poverty or in order to meet their everyday needs. These practices are rarely pursued in the courts, however, because no solution has been found to the problem of pimping.

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