



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
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**WRITTEN REPLIES BY THE PRINCIPALITY OF MONACO CONCERNING
THE LIST OF ISSUES (CRC/C/OPAC/MCO/Q/1) RELATING TO THE
CONSIDERATION OF THE INITIAL REPORT OF MONACO 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/MCO/1)***

[Replies received on 2 April 2007]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**OPTIONAL PROTOCOL TO THE CONVENTION ON THE
RIGHTS OF THE CHILD ON THE INVOLVEMENT OF
CHILDREN IN ARMED CONFLICT**

Principality of Monaco

1. *Please inform the Committee whether any unaccompanied asylum-seeking, refugee and migrant children from countries affected by armed conflict have entered Monaco since the entry into force of the Optional Protocol, and, if so, what measures are being taken to facilitate the physical and psychological recovery and social reintegration of children who may have been involved in armed conflicts abroad.*

To begin with it must be borne in mind that one of the features of the territory of the Principality of Monaco is that it is extremely small (around 2 km²). This geographical fact, together with the arrangements for surveillance of the territory, means that there have been no reports of people trafficking in general or child trafficking in particular (no children taken in charge and no traffickers arrested).

It should also be recalled that the Principality of Monaco does not maintain an army. However, the Principality considered it appropriate to accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which entered into force there on 12 February 2002 and was promulgated by Sovereign Ordinance No. 15,204 of 23 January 2002.

To date no unaccompanied asylum-seeking, refugee or migrant children from countries affected by armed conflict have asked the Monégasque authorities to be allowed to enter the Principality. Thus Monaco has had no need to take any measures to facilitate such children's physical and psychological recovery or their social integration.

In addition, under the arrangements between France and Monaco contained in the Convention on good-neighbourliness signed in Paris on 19 August 1963 (see annex), the right of entry or temporary or permanent residence in Monaco is subject to "possession of a valid passport, or any equivalent travel or identity document, carrying the stamps, visas and permits for entry and temporary or permanent residence in France, and in particular in the department of Alpes-Maritimes".

2. *Please inform the Committee whether Monaco considers explicitly prohibiting by law any violation of the provisions of the Protocol and making the recruitment of a person under the age of 18 on its territory a crime, and whether it assumes extra-territorial jurisdiction over war crimes that involve conscripting or enlisting children under the age of 15 into armed forces or armed groups and/or making them take a direct part in hostilities.*

On signing the Optional Protocol, the Principality of Monaco declared that it was bound to France by the Franco-Monégasque Treaty of 24 October 2002 and that the French Republic thereby undertook to defend its territorial integrity (cf. article 1 of the Treaty, "The French Republic undertakes to defend the independence and sovereignty of the Principality of Monaco and guarantees its territorial integrity under the same conditions as its own"); in addition, the

only bodies having military status in the Principality are the Prince's Guard and the Fire Brigade. In accordance with the provisions of Sovereign Ordinance No. 8,017 of 1 June 1984 relating to the Police Code, members of the Guard and the Fire Brigade must be at least 21 years of age.

In this context the Principality of Monaco does not intend to adopt legislation covering violations of the Optional Protocol or to establish a criminal offence of recruitment of persons aged under 18 on its territory.

As explained above, there are no armed forces in Monaco and consequently no children have been recruited or are eligible to be recruited or at risk of being enlisted into the military forces of the Principality.

3. *In the light of the important role of the International Criminal Court in deterring the recruitment of children below the age of 15, and given the potential connection between the sale of children and their recruitment into armed groups, please inform the Committee of the State Party's intentions with regard to the ratification of the Statute of the International Criminal Court and the Optional Protocol on the sale of children, child prostitution and child pornography, both of which the State Party has signed.*

Further to the replies given to questions 1 and 2, the Princely Government wishes to state that it signed the Rome Statute of the International Criminal Court on 18 July 1998 and that the text of the Statute is still under consideration by the legal services.

Committee members' attention may be drawn to the fact that a bill to authorize ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (New York, 25 May 2000) was put before the National Council, the Principality's elected body, in early 2007.

In parallel, a bill is being drafted to tighten up on crimes against children by making criminal offences of, inter alia, child prostitution, the sale and trafficking of organs, accessing, publishing, recording or producing child pornography, incitement to immorality, procurement, and incitement to possession and sale of drugs.
