



Convention on the Rights of the Child

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Committee on the Rights of the Child

List of issues in relation to the second periodic report of the Central African Republic

Addendum

Replies of the Central African Republic to the list of issues*, **

[Date received: 6 December 2016]

* The present document is being issued without formal editing.

** The annexes may be consulted in the files of the secretariat. They may also be accessed from the web page of the Committee on the Rights of the Child.

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Introduction

1. The Central African Republic submitted its last periodic report on the implementation of the Convention on the Rights of the Child in 2011.

2. In late June 2016, the list of issues in relation to the second periodic report of the Central African Republic (CRC/C/CAF/Q/2) was transmitted to the Government, which was requested to submit in writing additional, updated information (maximum 10,700 words) before 15 October 2016, for review at the seventy-fourth session of the Committee on the Rights of the Child, to be held in Geneva from 16 January 2017 to 3 February 2017.

3. It should be recalled that the initial report of the Central African Republic on the implementation of the Convention on the Rights of the Child (CRC/C/11/Add.1) was prepared in 2011 by the National Committee to monitor application of the Convention on the Rights of the Child (CNSDE), a body established by a general assembly on 17 April 1993 and later confirmed by Interministerial Decree No. 001/MJ/CAB of the Ministry of Justice and the Ministry of Social Affairs, the Family and Persons with Disabilities. The mandate of the Committee's bureau was subsequently extended for three months by Decree No. 036/MJ/CAB/06 of 17 October 2006.

4. However, despite the return to constitutional order following the severe military and political crises that have gripped the country, this body has not yet been re-established. In its absence, the task of preparing additional replies for the Committee on the Rights of the Child fell to the National Committee for the Drafting of Human Rights Reports — established in 2013 by decree of the Prime Minister and Head of Government— which was able to produce this report thanks to a joint effort with other sectoral departments involved in children's issues.

5. This work was carried out using data collected from the relevant departments and then compiled and validated by a group of national experts appointed for that purpose.

6. The drafting process was overseen by the National Committee, drawing on the technical expertise contributed by the Ministry of Social Affairs and National Reconciliation, which is responsible for matters relating to vulnerable groups, and the technical and financial support of the United Nations Children's Fund (UNICEF), which has always maintained an excellent partnership with the Government on all matters relating to children's rights.

Context

7. The Central African Republic has undergone a number of crises in the past two decades. One of the most serious erupted in December 2012, ultimately leading to the overthrow of President François Bozizé and the seizure of power on 24 March 2013 by Michel Am-Nondroko Djotodia of the former Séléka coalition. Multiple abuses by such rebel groups, as well as the excesses committed by elements of the anti-Balaka resistance, have caused enormous loss of human life and severe damage to infrastructure. The unprecedented crisis resulted in the destabilization of the State, a near-total breakdown in relations between the Christian and Muslim communities and the displacement of thousands of people both within and outside the country. This tragic situation prompted the international community, the partners of the Central African Republic and the Heads of State of the Economic Community of Central African States (ECCAS) to mobilize in order to find a way out of the crisis.

8. ECCAS, the African Union and the United Nations are engaged in the political process of stabilizing the Central African Republic through successive deployments of the Central Africa Multinational Force (FOMAC), the African-led International Support Mission in the Central African Republic (MISCA), and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), with support provided by the Sangaris force and the European Union-led peacekeeping force in the Central African Republic (EUFOR RCA) and by France, the United States of America, the European Union and the World Bank.
9. A meeting of the subregion's Heads of State in Libreville resulted in the adoption of the Libreville political agreement of 11 January 2013 on the resolution of the political and security crisis in the Central African Republic.
10. The Libreville agreement put in place an inclusive national unity government for a period of 12 months, with the possibility that its mandate could be extended. It was tasked with, inter alia, restoring peace and security; organizing early legislative elections following the dissolution of the National Assembly; reorganizing the defence and security forces; reorganizing the administration of the territory; reforming the judicial system; continuing the processes of disarmament, demobilization, repatriation and reintegration and security sector reform with the cooperation and assistance of the international community; and undertaking economic and social reforms.
11. The consensus reached in Libreville failed to resolve the crisis. The Heads of State, mindful of the need to continue dialogue in order to achieve a lasting peace, met in special session in N'Djamena (Chad) on 18 April 2013. The outcome of that meeting was the N'Djamena Declaration on the Central African Republic, which provided a road map for an 18-month transition, during which the transitional Government would continue the process of restoring peace and security through the programme of disarmament, demobilization, repatriation and reintegration and security sector reform; national reconciliation; and the organization of a constitutional referendum and free and transparent presidential and legislative elections in order to bring about a return to constitutional order in the Central African Republic.
12. The persistence of crime, serious human rights violations and widespread insecurity forced President Michel Djotodia and his Prime Minister, Nicolas Tiangaye, to resign on 10 January 2014. Alexandre-Ferdinand Nguendet, then President of the National Transitional Council, the provisional parliament, assumed interim authority. On 20 January 2014 the Council elected Ms. Catherine Samba-Panza as transitional Head of State. She was sworn into office before the Transitional Constitutional Court on 24 January 2014.
13. The international mediator on the crisis in the Central African Republic, Denis Sassou Nguesso, President of the Republic of the Congo, organized a Central African forum in Brazzaville, which led to the signing of an agreement on the cessation of hostilities on 23 July 2014. Under that agreement, the different parties committed to engage in the process of national reconciliation and to give up any plans to partition the Central African Republic.
14. The Brazzaville cessation of hostilities agreement paved the way for the organization of broad grass-roots consultations (January to March 2015), the organization of the Bangui Forum on National Reconciliation (4 to 11 May 2015), the holding of the constitutional referendum (13 December 2015) and legislative and presidential elections (31 December 2015). The election of President Faustin-Archange Touadéra on 14 February 2015, his investiture on 30 March 2016, and the formation of the National Assembly on 3 May 2016 marked the definitive end of the political transition process and the mechanisms that had underpinned it, including the International Contact Group on the Central African Republic, in keeping with the spirit of the N'Djamena Declaration.

15. Despite the return to constitutional order and the progress achieved in the security, political, humanitarian and economic spheres thanks to various forms of support from the international community, the situation of the Central African Republic remains fragile. With that in mind, the Government again requests the support of the international community in addressing the challenges facing the country, in line with the established priorities.

1. Information on various instruments and their implementation

1 (a)

16. There are no specific bills on domestic violence.

17. However, a bill on a child protection code drafted in 2002 has gone through the following stages: (i) a review in 2005 by the National Assembly, which sent the bill back to the Government owing to defects of form; (ii) a subsequent review by the National Assembly during 2009 and 2010, followed by referral to the national Economic and Social Council for an advisory opinion; (iii) a technical review by the Ministry of Justice for the purposes of legal editing; and (iv) a review in 2012 by the national legislation review committee attached to the Ministry in charge of the Secretariat General of the Government. The bill is currently being validated by the Council of Ministers in preparation for its submission to the National Assembly for adoption.

18. It is expected that the National Child Protection Policy formulated in 2011 will be updated in December 2016, in order to adapt it to the requirements created by the situation of children affected by the crises.

1 (b)

19. The new Constitution of 30 March 2016 preserved the country's old institutions (the executive, legislative and judiciary branches) and introduced new ones, namely the Senate (articles 73 to 76) as the second chamber of Parliament; the High Authority for Good Governance (articles 146 to 150), whose responsibilities include ensuring geographical balance in State institutions; and the National Elections Authority (articles 143 to 145), which is responsible for the organization and management of elections.

20. Moreover, Act No. 15.003 of 3 June 2015 established a special criminal court to investigate and prosecute the perpetrators of serious violations of human rights and international humanitarian law in the Central African Republic since 1 January 2003.

21. With the formation of the Government by Decree No. 16.222 of 11 April 2016, the Ministry of Social Affairs was reorganized in order to take into account the dimensions of gender, humanitarian action and national reconciliation.

1 (c) Main human rights instruments ratified by the Central African Republic from 2010 to 2016

22. Four of the five instruments to which the country is a signatory have been ratified. These are: (i) the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), ratified on 30 August 2010; (ii) the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, ratified in 2012; (iii) the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) of 2009; (iv) the African Charter on the Rights and Welfare of the Child, ratified on 7 July 2016.

23. The Government has resumed the process of ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and is readying the instrument of ratification for signature and submission to the Committee on the Rights of the Child.

1.2 National Committee to monitor application of the Convention on the Rights of the Child

24. This Committee was established in 1993, but its operations have been disrupted, as the mandate of its bureau has not been renewed since 2003, owing to the fact that no general assembly has been held.

25. The 16 prefecture-level committees are also non-operational due to lack of a mandate.

26. Detailed data are not available in respect of the 1,422 cases of violations reported to the Directorate General for Social Affairs and to the justice system, owing to the destruction of official records. That situation is compounded by the non-operation of National Committee and the ransacking of its office during the unrest, as well as the disruptions in the operations of the judicial institutions.

27. However, it should be stressed that support is provided to all child victims of the crisis, regardless of their ethnicity, religion or socioeconomic status.

28. Given that the Committee is no longer functional, it was not able to collect new data relating to violations of children's rights.

1.3 Civil registration

1.3 (a) Measures taken to promote the free and immediate registration of births:

- Decree No. 14.228 of 10 July 2014 on the free issuance of birth certificates for children born during the period of conflict (2012-2014);
- The rehabilitation of civil registry offices;
- The operationalization of 176 civil registry offices throughout the country, although a problem remains with the civil registers;
- Logistical, material and financial support provided by partners (UNICEF, United Nations Development Programme (UNDP), Office of the United Nations High Commissioner for Refugees (UNHCR)).

1.3 (b) Statistical data on birth certificates

29. The above actions contributed to the registration of twenty-five thousand two hundred (25,200 +10,280) children in the areas of Bangui, Bimbo and Bégoua.

30. In August 2016, an awareness-raising campaign on birth registration in health facilities in the same locations resulted in the registration of 8,199 children, including 4,212 girls and 3,987 boys.

31. Similar activities were carried out in three other provincial localities, reaching some 1,951 children.

1.3 (c) Administrative diligence

32. Measures taken included:

- The organization of a national forum on birth registration in July 2011, to reflect on appropriate solutions;
- Activities to raise awareness of the importance of registration;
- A capacity-building workshop on the civil registration system and awareness-raising in health centres in the cities of Bangui, Bimbo and Bégoua;
- The linkage of health and territorial administration (automatic birth registration);
- Mobile hearings with a view to issuing replacement birth certificates, supported by partners such as UNICEF, UNDP, UNHCR, the Danish Refugee Council, Cooperazione Internazionale and Avocats sans Frontières;
 - These hearings enabled the issuance of 2,151 replacement birth certificates in four jurisdictions.

Situation of alleged child offenders reported to the police

- Between January and December 2014, there were 45 alleged child offenders including 30 girls aged 5 to 15 years and 5 boys aged 9 to 13 years accused of witchcraft; another 10 boys, aged 14 to 17 years, were accused of rape;
- Between January and December 2015, 71 children were reported for offences, including 50 girls and 6 boys (aged 5 to 14 years) accused of witchcraft and 15 boys (aged 11 to 15 years) accused of rape;
- From January to August 2016, accusations of rape were made against 10 boys aged 12 to 14, while 75 children were accused of witchcraft, including 40 girls and 35 boys, aged 4 to 14 years (figures for Bangui).

1.4 Measures taken to eradicate all forms of violence against children

33. Legislative, administrative and judicial measures were applied.

Legislative measures:

- The provisions of the Family Code of the Central African Republic (article 567 et seq.);
- The bill on the child protection code, which criminalizes all forms of violence against children.

Administrative measures:

- The formation of a network of mayors in the eight arrondissements of Bangui and the municipalities of Bimbo and Bégoua to provide a forum for dialogue and ongoing collaboration for the prevention and referral of sexual violence cases;
- The establishment of a joint rapid response and enforcement unit to deal with cases of sexual violence against women and children;
- The existence of a minors' unit in the Criminal Investigation Department;
- An information, education and communication project to raise awareness in the community about the harmful effects and consequences of violence against children.

Judicial measures:

34. During its session from 26 August 2016 to 26 September 2016, the Criminal Court of Bangui considered four cases of rape perpetrated against minors, resulting in three convictions. Two sentences were handed down for 10 years' hard labour and one for 5 years' imprisonment. The other case was sent back to the pretrial investigation stage.

1.5 Measures taken to combat the economic exploitation of children

Child labour and its worst forms

- The provisions of articles 259 to 263 of Act No. 09.004 of 29 January 2009 on the Labour Code of the Central African Republic, which prohibit the use of child labour and the worst forms of child labour;
- Small-scale awareness campaigns implemented by regional directors of labour within their respective areas of jurisdiction, in the prefectures of Lobaye and Mambéré-Kadéï (forestry and mining regions), focusing on the international legal instruments that deal with the economic exploitation of children;
- Negotiations undertaken by the Ministry of the Civil Service, Modernization, Labour Administration, Employment and Social Protection with the ILO country office in Kinshasa, with a view to drawing up a national action plan to combat child labour;
- A project on the mapping of child labour and its worst forms, developed by the Ministry of Labour with the support of UNICEF;
- A project to strengthen the technical capacities of regional directors and officials to carry out labour inspections;
- A research project on the mapping of child labour and its worst forms, with sanctions to be established by an order of the Minister concerning measures to eliminate economic exploitation, together with a list of hazardous jobs that are outlawed for children under 18 years of age.

Child labour in mining areas

- Article 190 of Act No. 09.005 of 23 April 2009 establishing the Mining Code of the Central African Republic, which prohibits and punishes the use of children in mining activities;
- A plan by the Ministry of Mines to build schools at mining sites, in cooperation with the Ministry of Education;
- A plan to carry out awareness-raising campaigns on the age of compulsory education and the minimum age for admission to employment, in conformity with the provisions of the ILO Minimum Age Convention, 1973 (No. 138).

Measures taken to combat trafficking in children for purposes of forced labour

- Articles 103 to 108 of the Criminal Code of the Central African Republic address and punish trafficking in children and their use for the purposes of forced labour;
- Activities by the International Organization for Migration (IOM) to raise awareness in domestic civil society about the detection and reporting of trafficking cases;
- Media initiatives to raise community awareness regarding the dangers of human trafficking and of child trafficking in particular;

- Provision of care for victims;
- The recording of 78 trafficking cases, involving 39 children, including 22 boys and 17 girls aged 9 to 17 years;
- A mapping project designed to coordinate the interventions by various actors in this sphere.

1.6 Infant and maternal mortality

35. The General Population and Housing Census of 2003 found that maternal mortality stood at 1,355 cases per 100,000 live births. That figure fell to 850 cases per 100,000 live births in 2008.

36. The United Nations Inter-agency Group for Child Mortality Estimation reported an infant mortality rate for the Central African Republic of 132 deaths per 1,000 live births in 2003, compared with 116 deaths per 1,000 live births in 2010, according to the Multiple Indicator Cluster Survey (MICS 4) carried out that year.

1.6 (a) Measures taken to combat maternal and infant mortality

- Adoption of a national reproductive health policy in February 2015;
- Adoption of a strategic plan for the reduction of infant mortality in October 2015;
- Road map to speed up the reduction of maternal and infant mortality, launched in February 2015 with the vision that “no child should die of a preventable cause” and that “women should not lose their lives for reasons related to pregnancy and childbirth”;
- Improvements in access to and availability of quality care through priority actions that take into account issues of equity, gender and vulnerability.

1.6 (b) Underweight, stunting and mortality rates among children under 5 years old

37. According to data from the Standardized Monitoring and Assessment of Relief and Transitions (SMART) nutrition survey, 40.8 per cent of under-5 children suffered from chronic malnutrition in 2014, with figures ranging from 17.4 per cent to 53 per cent in different health regions.

- The prevalence of underweight stood at 20.3 per cent nationally, ranging from 7.6 per cent in Haute-Kotto to 32.6 per cent in Sangha-Mbaéré;
- The retrospective crude mortality rate was 2.02 deaths per 10,000 population per day. This indicator varied from 0.75 in Haute-Kotto to 2.26 in Vakaga;
- The under-5 child mortality rate stood at 1.69 deaths per 10,000 live births per day. The indicator varied from 0.49 in Bamingui-Bangoran to 3.70 in Vakaga.

1.7 Measures taken to prevent attacks on health facilities and their use by national security forces, armed groups and international forces

38. The measures taken in respect of health facilities were the same as those concerning schools (see below).

1.7 (a) Measures taken to ensure free and effective schooling

- Issuance of a memorandum dated 23 May 2016 by the Ministry of Education exempting all final-year primary school pupils from internally displaced persons' and refugee camps from payment of examination fees;
- For the 2016/17 academic year, the memorandum became a decision with the same provisions but also covering returnees;
- Some 900 of the 1,933 schools in the Central African Republic benefit from projects implemented by the Global Partnership for Education and the European Union with a view to restoring education services and reviving the education system in Bangui and in 13 of the 16 prefectures affected by the crisis;
- Social mobilization activities to raise awareness in the community and facilitate the resumption of classes in all prefectures.

1.7 (b) Measures taken to prevent attacks on schools and their use by national security forces, armed groups and international forces

- Armed groups occupying schools evicted by United Nations forces;
- MINUSCA directive on the protection of schools and universities against military use signed in December 2015;
- An early warning mechanism implemented to enable the population to report attacks on schools;
- Continued negotiation between the Government and rebel leaders for the release of occupied schools.

39. The crisis prevented school inspectorates from compiling data during 2014, 2015 and 2016. Annex 1 of the education statistics yearbook for 2011 and 2012 gives net and gross enrolment ratios by sex, school inspectorate and level of instruction (primary, lower secondary and upper secondary). The gender parity index showed an upward trend (X per cent) between 2007 and 2016. For example, at the beginning of the 2016/17 school year, there were more girls than boys enrolled in schools in the Kilomètre 5 neighbourhood in the third arrondissement of Bangui.

40. The statistical system in the Central African Republic does not provide for the production of data disaggregated by ethnicity or religion.

1.7 (c) Monitoring and reporting mechanism on grave violations of children's rights in situations of armed conflict

41. The monitoring and reporting mechanism, based on Security Council resolution 1612 (2005), has put in place data-collection forms which are used to closely monitor the denial of access to school. Consequently, all events that tend to prevent children from going to school are immediately reported to the Secretary-General of the United Nations, who takes measures against those responsible.

1.7 (d) Measures taken to guarantee basic services to refugee and internally displaced children

42. During the 2015/16 school year, 199 temporary learning and child protection spaces were established in conflict-affected areas at 32 refugee and displaced persons' camps. Activities provided included pre-primary and primary education and youth literacy training, in which 29,618 children participated, including 14,568 girls (50 per cent). Training was

provided to 356 parent-teachers in basic teaching skills, child protection, positive discipline, hygiene promotion, HIV and education in emergency situations.

Return of refugee and displaced children and access to health and education

43. An action plan for returnees has been developed within the framework of the education cluster to ensure the enrolment of school-age children returning to their respective areas. Schools have been identified and are preparing to receive returned children.

Pygmy children and effective access to education

44. In 2012, at the beginning of the present programme of cooperation with UNICEF, nine early-learning community centres were built in the prefectures of Ombella-M'Poko and Lobaye, where most pygmies live, in order to ensure preschool education for pygmy children. Awareness and social mobilization activities have been planned and implemented with national and international NGOs to boost the enrolment and retention of pygmy children in school.

Children with disabilities

45. Enrolment ratios disaggregated by sex and age group at the primary and secondary levels are not available owing to the destruction of infrastructure.

1.8 Measures against the forced prostitution and sexual exploitation of children

- The punishment for the forced prostitution of children is set forth under articles 90 to 92 of the Criminal Code.
- The same articles criminalize and punish procurers.

Measures to ensure the protection and rehabilitation of, and the provision of medical, psychosocial and legal support to, child victims, including child victims of sexual abuse by international military forces

- There is a programme of medical and psychosocial care in referral centres and legal assistance after reporting.
- The sexual abuse of children is prohibited and punished under cooperation agreements and national law; members of foreign forces alleged to have perpetrated sexual violence against children are currently being investigated by their respective countries in collaboration with the national judicial authorities.
- There are 15 holistic care centres located throughout the national territory.
- There is also a warning mechanism with a telephone hotline set up by the Danish Refugee Council for the reporting of abuse.

1.9 Measures to guarantee the provision of basic services to displaced children: education/health

- A total of 204 temporary learning and child protection spaces have been set up at 32 internally displaced persons' camps in Bangui and the country's interior (Ombella-M'Poko, Basse-Kotto, Ouham, Ouaka, Nana Gribizi and Haute-Kotto). Primary education has been imparted to 24,071 students (including 11,474 girls and 12,420

boys) thanks to funding from the European Union, the Global Partnership for Education and the Common Humanitarian Fund.

- Preschool instruction was provided to 4,255 children (2,196 girls and 2,059 boys).
- The temporary learning and child protection spaces extended educational support to 2,332 children (1,302 girls and 1,030 boys) that had been excluded from the school system.
- A total of 30,481 students (14,972 girls and 15,509 boys) have benefited from these programmes.

46. In July 2016, the Government, with the support of partners, put in place a programme for the return of internally displaced persons that focuses on creating suitable conditions for them to return to their neighbourhoods or villages of origin, followed by relocation and reintegration, in accordance with the intentions of the individuals concerned. The implementation stage is now under way, with profiling operations having taken place at the Bangui-M'Poko airport camp in September 2016.

47. The statistical system in the Central African Republic does not allow for the production of accurate disaggregated data on persons with disabilities. However, amenities such as ramps are in place to improve access to public services.

48. There is an education and training centre for the deaf and mute at the primary level.

- There is also a Braille literacy centre for the blind, which for the academic year 2016/17 has 34 students, including 24 children and 10 adolescents of both sexes.
- In the academic year 2015/16, the number of children with disabilities attending specialized schools was as follows: the education and training centre for the blind had four children enrolled in primary education and one in secondary education. Eight students were enrolled in income-generating activities, including gardening. Some school abandonment was reported. The school for the deaf had 65 students (43 boys and 22 girls).

49. The Government upholds the equal right to education without discrimination. The provisions of Act No. 00.007 of 20 December 2000 on the status, protection and advancement of persons with disabilities in the Central African Republic and its implementing decree No. 05.205 of 6 August 2002 (articles 13 and 14) grant protection and benefits for children with disabilities.

1.10 Measures to protect the rights of children under the framework of the peace agreements and international missions

50. The following actions have been taken:

- The commitment of the armed groups signatory to the Brazzaville agreement of 23 July 2014 to refrain from recruiting children and to release those within their group;
- Organization of the children's forum in April 2015, in preparation for the Bangui Forum on National Reconciliation;
- The signing of agreements between the Government and 10 armed groups on the sidelines of the Bangui Forum on National Reconciliation in May 2015 for the withdrawal and non-recruitment of child soldiers;
- The Government's adoption in January 2016 of three platforms for protection and a national strategy for community-based reintegration of children formerly associated with armed groups in the Central African Republic;

- The development of operational standards for determining the age of children recruited and used by armed groups in the Central African Republic;
- The adoption of national guidelines for the care of children in temporary foster families (January 2016).

Measures taken to implement the agreement signed in May 2015 to prevent the recruitment of children by armed groups

- With the support of MINUSCA, an action plan was developed for the exit of four armed groups blacklisted by the United Nations.
- With the support of UNICEF, a programme was implemented for the demobilization, rehabilitation and reintegration into the community of children associated with armed forces or armed groups. At present, 7,506 children are participating in the programme.

Number of children recruited by State-sponsored and non-State armed groups

- There is no State-sponsored armed group in the Central African Republic. In the past, militia groups seen as being close to the Government were reported, but they did not include children.
- According to data from the Office for the Coordination of Humanitarian Affairs, the total number of children associated with non-conventional armed groups is estimated at 10,000. More than 80 per cent of them have now been demobilized, thanks to various programmes and measures.

1.11 Pygmy children

Measures have included:

- The ratification of the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) on 30 August 2010;
- The preparation of a draft bill for the implementation of ILO Convention No. 169, with extensive provisions enshrining the rights of indigenous children; in particular civil rights (article 8), the right to education (articles 9, 10, 11 and 12), the right to health (article 22) and protection against forced labour (article 18);
- The reaffirmation in the new Constitution of the accession of the Central African Republic to all duly ratified international conventions, including those relating to the prohibition of all forms of discrimination against women and the protection of children's rights and those relating to indigenous and tribal peoples;
- The implementation of the project "Support for the Promotion of Indigenous Rights in the Central African Republic 2013-2014" (APPACA), funded by the International Labour Office;
- The celebration of the 18th International Day of the World's Indigenous Peoples on 9 August 2013 at Zoméa in the municipality of Baléoko, subprefecture of Mbaiki (Lobaye prefecture), with the support of the United Nations Population Fund and the International Labour Office; about 530 persons attended the event, including 100 pygmy women and girls, who received awareness training on HIV prevention, the signs and risks of pregnancy and childbirth, and family planning;
- An assessment of the legislation of the Central African Republic in the light of the provisions of ILO Convention No. 169, carried out in February 2012 with the

support of the NGO Maison de l'enfant et de la femme pygmées (MEFP) and its partner Rainforest Foundation UK.

Measures in relation to civil registration, education, health, mortality, malnutrition and forced labour

- Issuance of 5,673 birth certificates between 2013 and 2016, with the support of the NGO Cooperazione Internazionale in partnership with UNICEF;
- Registration and allocation of school kits to 289 pygmy children, including about 100 girls, with the support of UNICEF;
- Introduction of school canteens by the World Food Programme;
- Training and capacity-building for parent-teachers;
- Completion of the construction of a school at Balé-Loko (by Société Centrafricaine de Déroulage (SCAD)) to serve pygmy children;
- Rehabilitation of a health facility on the Mbata-Bouchia road for the care of pygmy children.

51. One major challenge that remains to be addressed is that of devising a special academic calendar that is adapted to the pygmies' specific way of life.

1.12 Measures for the effective separation of children and adults in all detention centres

- Articles 82 and 96 to 98 of Decree No. 16.0087 of 18 February 2016, on the organization, operation and internal regulations of prisons in the Central African Republic, clearly establish the principle of separation of children from adults in detention facilities. However, 32 of the country's 38 prisons were destroyed during the unrest and none of the remaining facilities have separate juvenile sections.

52. Police stations and gendarmeries also lack cells for minors. However, spaces have been adapted to ensure the separation of detained children and adults, as well as the separation of children in conflict with the law and other accused persons.

- Under article 232 of Act No. 10.002 of 6 January 2010 on the Code of Criminal Procedure, the juvenile court and the juvenile criminal court are expected to give priority to protection measures, assistance, monitoring and education.
- Detention is an exceptional punishment that may be imposed only if the minor is aged 15 years or above or is prosecuted for a crime or serious offence. Incarcerated minors must be held in a special juvenile section of a prison.
- Police custody is prohibited for minors under 14 years of age (article 235), except where they are accused of a crime or serious offence.
- A health service is available for those held in detention centres, as envisaged under article 39 et seq. of the above-mentioned decree.
- In the event of illness, juvenile detainees are examined and treated at their place of detention or, in serious cases, referred to hospitals.

Statistics

53. The Ministry of Justice has not provided statistical data on child victims of violence, partly owing to the general crisis that has paralysed the country for the past three years and

partly because of the lack of methodical record-keeping on cases of abuse or violence by either criminal investigation departments or the courts. There is a real need for capacity-building in this area.

Social reintegration measures

Reception and social reintegration structures for children in conflict with the law

- There is no State structure responsible for the support and reintegration of children in conflict with the law.
- In the city of Berbérati, the NGO Saint Kizito specializes in supporting children accused of witchcraft.
- Three measures were implemented by the Ministry of Social Affairs in April 2015: national guidelines for the care of children in temporary foster families; operational standards for determining the age of children recruited and used in armed groups; and the national strategy for community-based reintegration of children formerly associated with armed groups.
- With regard to cases of children in conflict with the law and child victims, for 2014 the monitoring and reporting mechanism on grave violations of children's rights in situations of armed conflict recorded 2,807 cases of children recruited by armed groups, including 646 girls; 146 children killed, including 37 girls; 289 children injured or maimed, including 107 girls; 406 cases of rape perpetrated against minors aged 7 to 17 years; and 37 abductions of children, including 12 girls aged 2 to 14 years.
- At the judicial level, the juvenile court of Bangui recorded 14 cases of children in conflict with the law, whether accused or convicted. There were 8 recorded cases of abuse in 2013, 99 in 2014, 20 in 2015 and 2 in 2016. Decisions taken by the court included changes of custody and orders to draw up birth certificates or to enrol children in school. Unfortunately, the juvenile court of Bangui has not been operational for more than eight months owing to the absence of judges and assessors.
- In Berbérati, between 2014 and 2016 five children aged 12 to 15 years were prosecuted for practising charlatanism and witchcraft. Further cases of children in conflict with the law were reported during the period from May to August 2016, involving 10 boys aged 12 to 17 years.
- Between 2014 and 2016, 44 cases were recorded in which children aged 13 to 16 years had been the victims of gender violence, sexual violence and early marriage. The legislature adopted Act No. 15.003 of 3 June 2015, which established a Special Criminal Court to try the perpetrators of crimes against humanity and genocide.

1.13 Budget

54. The budgets allocated to relevant ministerial departments, in accordance with budget legislation from the years 2014, 2015 and 2016, are shown in the table below:

<i>Department</i>	<i>Line item</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Justice	CNSDE	3 655 000	1 850 000		5 505 000
	Juvenile court			3 150 000	3 150 000

<i>Department</i>	<i>Line item</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Health	24 850 485 000 (Health and Social Affairs merged)	14 390 044 000	34 018 644 000	73 259 173 000	
Education	20 771 268 000	11 719 773 000	10 563 252 000	31 335 304 719	
Social Affairs	(See Health above)	3 004 032 000	2 311 001 000	53 150 033 000	
Total		45 625 408 000	29 115 699 000	46 896 047 000	157 753 165 719

55. The Ministry of Justice was allocated 3,655,000 CFA francs under the budget line items for the National Commission to monitor application of the Convention on the Rights of the Child (CNSDE) and the juvenile court in 2014. These allocations amounted to 1,850,000 CFA francs in 2015 and 3,150,000 CFA francs in 2016, making a total of 8,655,000 CFA francs over the three years.

56. The Ministry of Health received 24,850,485,000 CFA francs in 2014; 14,390,044,000 CFA francs in 2015, and 34,018,644,000 CFA francs in 2016, totalling 73,259,173,000 CFA francs for the three years.

57. The Ministry of Education was allocated 20,771,268,000 CFA francs in 2014; 11,719,773,000 CFA francs in 2015 and 10,563,252,000 CFA francs in 2016, totalling 73,258,173,000 CFA francs for the three years.

58. In 2014 the Ministry of Social Affairs was funded from a joint budget with the Ministry of Health. In 2015 it was separately allocated 3,004,032,000 CFA francs, and in 2016 it received 2,311,001,000 CFA francs, for a total of 5,315,123,000 CFA francs.

59. Data on gross domestic product and geographical distribution are not available. The combined annual allocations for justice, health, education and social affairs as a percentage of the national budget were as follows:

- In 2014: 45,625,406,000 CFA francs from a national budget of 221,272,516,000 CFA francs (20 per cent);
- In 2015: 29,115,699,000 CFA francs from a national budget of 228,358,036,000 CFA francs (12 per cent);
- And in 2016: 46,896,137,000 CFA francs from a national budget of 259,107,925,000 CFA francs (18 per cent).

60. In 2014 the Ministry of Social Affairs was funded from a joint budget with the Ministry of Health. In 2015 it was separately allocated 3,004,032,000 CFA francs, and in 2016 it received 2,311,001,000 CFA francs, for a total of 5,315,123,000 CFA francs.

Conclusion

61. The Central African Republic remains a fragile State as a result of the recurrent crises that it continues to experience and the various consequences thereof.

62. Notwithstanding this situation, successive Governments have taken a number of measures for the implementation of the Convention on the Rights of the Child, although they have faced many challenges in applying those measures.

63. The progressive and effective implementation of the Convention on the Rights of the Child will require substantial financial resources in order to build appropriate infrastructure for the delivery of basic social services for children. The capacity of skilled human resources also needs to be strengthened in order to provide good quality services for children.

Annexes

Draft law on the child protection code of the Central African Republic

List of members of the National Committee for the Drafting of Human Rights Reports
