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Universal Periodic Review (UPR)
for the
Central African Republic

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An NGO Submission by

Marist International Solidarity Foundation (FMSI)
(Special Consultative Status with UN ECOSOC)

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I. Introduction

1. This report is a submission made by the Marist International Solidarity Foundation (FMSI). FMSI is an NGO in consultative status with UN ECOSOC and it has a special focus on promoting and protecting the rights of children. This Organisation was established in 2007 in Italy as a Not-for-Profit Organisation with a Social Purpose (FMSI-ONLUS) and has a presence in nearly eighty countries.
2. The report highlights concerns related to the **Rights of the Child** in the Central African Republic in three key areas: **the right to education, children in armed conflict and child labour**.
3. The statistics and information obtained in this submission came from personal interviews and surveys within the country and also includes internet data taken from the World Bank.

II. Provision of Education

4. Article 6 of the Constitution of the Central African Republic obliges the State and other public bodies to create the necessary conditions conducive for the education of children. The right to education is provided for in Order No. 84/031 of 14 May 1984. Article 19 of the Order states that the purpose of education is to ensure that the child is able to master reading, writing and basic arithmetic and mathematics skills. Another legislation, Law 97.014, enacted on the 10 December 1997 places education as a national priority. This law provided for the National Education Development Plan (PNDE) which outlined a ten-year plan from 2000 to 2010 which focused on achieving efficiency, accessibility and equity in quality education.
5. In spite of these initiatives, during Central African Republic's Universal Periodic Review (UPR) in 2009 eight states noted the low level of literacy and education of children in the country. Four of these states made recommendations to the Central African Republic to take appropriate action to strengthen the education sector and to ensure that all children have access to quality primary education¹. The evidence provided in this submission points to this remaining a high priority for the country.

Accessibility to education

6. Accessibility to education implies that there is no discrimination for enrolment, that education is free and that there is affirmative action to provide for the most needy.

¹ Report of the Working Group on the Universal Periodic Review of the Central African Republic, A/HRC/12/2, 4 June 2009. These recommendations are:

- 74.50: With the assistance of the international community, undertake a multi-pronged approach to improve the situation of children with greater focus on ensuring universal primary education, reducing infant and child mortality and rehabilitating child combatants (Bangladesh);
- 74.51: Guarantee the right to education of all children and take effective measures to substantially increase the rate of attendance in primary schools (Italy);
- 74.52: Given the low level of children's education and illiteracy rates, implement measures necessary to change the landscape in this area and promote the reintegration of child soldiers in society (Azerbaijan);
- 74.53: Accord the greatest priority to measures aimed at better ensuring the economic and social rights of its population, particularly by devoting more resources to programmes to combat poverty and illiteracy (Vietnam);

7. According to government legislation, education is compulsory for children aged six to fifteen. Tuition is supposed to be free. However, students are required to pay for books, uniforms, supplies, furniture (e.g. desks and chairs) to sit for exams and insurance. Although uniforms are not compulsory in government primary schools, the costs of supplies, furniture and insurance place a financial burden on poor families. The average school fees for a child entering primary school for the first time is approximately 3600 Central African Francs CFA (approximately 7 euros). This can be broken down into: registration costs (4 euros), insurance (1 euro) and school furniture (2 euros). For children who are already in school, the average costs of school fees per year is 1600 Central African Francs CFA (3 euros) which covers insurance and furniture costs. Whilst these fees may not seem very high, in fact some parents simply cannot afford them and so they keep their children at home. Some of these children who are very keen on attending school try to find work in their local village so as to pay for these fees themselves. This situation contravenes their right to a free education under article 28 of the Convention on the Rights of the Child.
8. *Drop-out rates.* According to data from the World Bank², the net percentage of primary school enrolment has increased from 49% in 2005 to 68.5% in 2011. Despite the significant increase in enrolment rates in the past few years, many children drop out of school early. Data shows that in 2010 only 43.9% of the girls that registered for the first grade of primary school eventually reached the last grade. For boys, this percentage stands at 48.6%. The monetary cost of purchasing books, insurance and paying for furniture is only one of a number of contributing factors to this high dropout rate. Moreover, the enrolment rate for secondary schools is alarming. In 2011, the net enrolment rate was 14.1%. This data indicates that the government still has much to do to ensure that all children are able to enrol into and complete their primary school education and also to be given the opportunity to continue on to higher education.
9. *Discrimination in accessibility to education.* Although Article 1 of Order No. 84/031 states: “Every child living in the territory of the Central African Republic has the right of access to sources of knowledge without distinction as to sex, race, belief or social circumstances”, we note the persistence of discrimination in access to school, especially for girls and children with disabilities.
10. In 2011, the number of girls at primary school age that were out of school was 140,412 while the number of boys that were out of school at the primary school age was 73,938³. One of the reasons why families neglect a girl’s education is because of the view that educating girls is considered as an unnecessary expense for the family, especially if the family is poor. Another reason why young girls drop out of education at the primary level is because they enter school when they are already mature and peers of their age are already in secondary schools.
11. If the Central African Republic does not step up in its efforts to promote girls’ education, it will only reinforce the commonly held belief that it is unnecessary for

²World Bank, <http://data.worldbank.org/indicator/SE.PRM.ENRR/countries/CF-ZF-XM?display=graph>, retrieved 18 February 2013.

³ World Bank, <http://data.worldbank.org/indicator/SE.PRM.ENRR/countries/CF-ZF-XM?display=graph>, retrieved 18 February 2013.

girls to be educated. In order to obtain equality for girls in the education sector, the government must enact legislation and policies that protect and promote the rights of girls to education.

12. FMSI is deeply disturbed about the lack of attention given to *children with disabilities* with regards to their right to an education. The majority of children with disabilities have never attended any form of schooling. 67% of disabled children aged 6-14 years do not go to school while 85% of children with speech impairment have never attended school⁴. Children with disabilities are especially disadvantaged when it comes to accessing education. Firstly, there are very few specialised schools that cater to the specific needs of these children. Those that are operational are run by non-governmental organisations (NGO) and rely heavily on donations to keep the school open. Secondly, many poor families prefer to prioritise the education of their non-disabled children over their disabled children so that there is an able-bodied sibling capable of taking care of them in their old age. This is a discriminatory act against children with disabilities who in fact should be given extra attention for their education. Although the educational needs of children with disabilities are often complex, the government must take immediate action and put in place adequate infrastructures that cater to the needs of the disabled. Furthermore, we urge the government to implement policies and programmes to change the negative attitudes of its people towards children with disabilities.

Availability of education

13. FMSI is concerned about the quality and availability of education in the Central African Republic. The shortage of schools, lack of textbooks and teaching materials undermine the provision of quality education for children.
14. Schools in the rural areas are sparse. Many children have to walk more than 5km to get to school. Furthermore, it has been reported that 73% of students and 90% of teachers are involved in violent acts (including corporal punishment) within and around schools⁵ - child safety and protection is an issue. The presence of violence in the school, along with a lack of transportation and school canteens all contribute to poor attendance records. This is especially so with children who are marginalised, which includes girls, the poor and children with disabilities.
15. *Crowded classes and shortages of textbooks and teaching materials.* Our research in one school recorded 166 students in one class while another had 127 students. The average size of the classes was around 80 students. This is common throughout the country. As a result, many primary school students do not have access to textbooks, teaching materials and are required to sit on the floor during lessons. Dropout rates are closely related to the poor quality of education provided and the low student achievement is also related to overcrowded classrooms, a lack of facilities and teaching materials. There are not enough schools needed to cater adequately for the number of children in the country.

⁴ Shimelis Tsegaye Tesemma 2011, 'Educating Children with Disabilities: Central African Republic', The African Child Policy Forum.

⁵ http://www.hdptcar.net/sites/www.hdptcar.net/files/PovertyRedStrategy_2011-2015_EN.pdf, retrieved 18 February 2013

Acceptability of education

16. There is a serious shortage of fully qualified teachers in the Central African Republic. The lack of well-trained teachers in primary school is one of the biggest factors impeding the provision of good quality education. Many are secondary school students who have failed the national examinations and need a job to earn a living. In 2011, only 57% of teachers⁶ were trained to teach in primary schools. Given that many teachers are untrained and most have no knowledge of pedagogy, they have a difficult task ensuring that their teaching methods cater for the different needs and knowledge levels of their students.
17. FMSI is also concerned about the low wage of teachers. As a result of low salaries, many trained teachers prefer to work in private schools where the salary is higher. Low salaries deter teachers from being fully committed to their job and a low motivation on the part of the teacher has detrimental effects on student achievement. In order to attract quality people who are fit for the profession, we urge the government to ensure that teachers are well paid.

Efficient and effective allocation of government expenditure on education

18. Public expenditure on education as a total percentage of total government spending was 12% in 2010⁷. This is only 1.2% of the country's gross domestic product (GDP), which in fact was even less than the public expenditure in 2009, being 1.3% of the country's GDP⁸. In 2009 the Central African Republic ranked 172 out of 194 countries for its GDP expenditure on education⁹. We urge the government to allocate a much bigger slice of the state's budget to education. It is imperative that primary education be made not only compulsory but also free where families do not have to pay for insurance, furniture or exam fees, and that secondary education becomes more of a reality to the State's children. Furthermore, an increase in funds will ensure that there are more schools and that they are properly equipped with the necessary materials to provide quality education.
19. In light of these findings, we urge to the government of the Central African Republic to:
 - a. **Significantly increase the State's budget allocation towards education to ensure free and compulsory primary education for all children, without discrimination, particularly for girls, children from poor families and those with disabilities, providing adequate school infrastructure, including proper sanitation facilities and adequate water supplies;**
 - b. **Join with the majority of other African states by ratifying immediately the African Charter on the Rights and Welfare of the Child (ACRWC) and also**

⁶ World Bank data, <http://data.worldbank.org/indicator/SE.PRM.TCAQ.ZS/countries/CF?display=graph> retrieved 22 February 2013

⁷ <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportId=3561>. Retrieved March 4 2013.

⁸ [http://en.wikipedia.org/wiki/List_of_countries_by_spending_on_education_\(%25_of_GDP\)](http://en.wikipedia.org/wiki/List_of_countries_by_spending_on_education_(%25_of_GDP)). Retrieved 4 March 2013

⁹ [http://en.wikipedia.org/wiki/List_of_countries_by_spending_on_education_\(%25_of_GDP\)](http://en.wikipedia.org/wiki/List_of_countries_by_spending_on_education_(%25_of_GDP)), retrieved 26 February 2013.

ratify the United Nations Convention on the Rights of Persons with Disabilities (CRPD);

- c. Use legislative, policy and educational measures, including sensitisation and awareness-raising, to overcome the stigmatisation of the poorest children, especially those with disabilities and girls, and ensure that these children have equal access to and participation in quality education;**
- d. Ensure that there are sufficient professionally trained teachers, and that their salary is such that it attracts high quality applicants to the teaching profession.**

III. Children in Armed Conflict

- 20. Although armed groups such as the *Convention des patriotes pour la justice et la paix* (CPJP) have signed in 2011 an action plan with the UN to stop the recruitment of child soldiers and to release children in its ranks to the UN, UNICEF reports that about 2500 boys and girls are still associated with these armed groups¹⁰. Children continue to be used as combatants, lookouts and porters. As part of their counter-insurgency, the government has also been reportedly calling on youths to arm themselves to fight alongside the pro-government militias¹¹.
- 21. UNICEF has noted that although child soldiers were willing to be demobilised and to attend school, their communities often lacked the infrastructure to provide for their educational needs and physical safety. Child recruitment is a grave violation of the Convention on the Rights of the Child. We urge the government to take responsibility to protect these children and ensure that they are well rehabilitated into society.
- 22. We urge the government to:
 - a. Protect children from being recruited into armed forces and ensure that the Government's Inter-ministerial National Council on Child Protection sets in place proper legislation, policies and strategies on child protection and establishes monitoring mechanisms to ensure their effective implementation;**
 - b. Ensure that all child victims of armed conflict have access to adequate care, counselling and assistance with recovery and reintegration into their communities;**

¹⁰ 21st January 2013, 'UN official disappointed by news reports of child soldiers in Central African Republic', http://www.un.org/apps/news/story.asp?NewsID=43972#.USM_2aV3vx4, retrieved 19 February 2013.

¹¹ 21st January 2013, 'UN official disappointed by news reports of child soldiers in Central African Republic', http://www.un.org/apps/news/story.asp?NewsID=43972#.USM_2aV3vx4, retrieved 19 February 2013.

IV Child Labour

23. Legislation in the Central African Republic provides that children under the age of 14 cannot be employed unless authorised by the Ministry of Labour and Civil Service¹². However, the law allows for the employment of children below the age of 14 for certain kinds of work in traditional agricultural activities or home services¹³. This has led to a number of abuses. Children often work in the gold mines alongside their parents, helping them to dig holes and transport heavy loads. These conditions are often hazardous. Such practices remain widespread despite legislation that explicitly prohibits a company or parent from employing children in the mining industry. The government is urged to strictly enforce these laws. Children are also engaged as domestic workers, fisherman and hunting. In many of the instances noted here, children are deprived of the opportunity to attend school, thus denying them their right to education.
24. Often times, children find employment whenever they can because their families are poor and the additional income is necessary, or they simply have nothing else to do due to the lack of schools in their region. If quality education is made more accessible to all children - both in cities and rural areas – and there is a good social welfare system, there would be little reason for under-aged children to work in family or local industries. It is an injustice, sustained by both parents and State, preventing these children from fully enjoying their right to an education and to be protected from hazardous work.
25. We recommend the government to:
- a. **Formulate and implement effective legislation that complies with the ILO's Convention 138 on the minimum age of employment and ILO's Convention on worst forms of child labour;**
 - b. **Increase the state's annual expenditure towards social welfare and education so as to alleviate the necessity of children having to work and to have easy access to free education.**

¹² Government of the Central African Republic, *Loi N° 61/221, Instituant le Code du Travail de la République Centrafricaine*, article 125.

¹³ ILO NATLEX National Labor Law Database, *Central African Republic: Elimination of Child Labour, Protection of Children and Young Persons*, November 26, 2007; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.