

CRPD	Ratification Date	Care-Related Concluding Observations
	18 Feb 2010	<p style="text-align: center;">Country Report</p>
CRC	Ratification Date	Care-Related Concluding Observations
	07 Aug 1990	<p>CRC/C/FRA/CO/5 23 February 2016 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fFRA%2fCO%2f5&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>B. General principles (arts. 2, 3, 6 and 12)</p> <p>Non-discrimination</p> <p>23. The Committee welcomes the efforts made by the State party to combat discrimination. The Committee is concerned, however, about the persistence of discrimination on the grounds of sex, gender identity, disability, national origin, social and economic origin or other grounds. It further expresses its concern at the persistence of racial discrimination against and stigmatization of Roma children. The Committee is also concerned that the action plan for equality that replaced the “ABCD of Equality” programme was developed without the involvement of children, is not targeted specifically at children and lacks measurable objectives and a time frame.</p>

		<p>24. The Committee reiterates its previous recommendation and urges the State party to strengthen its efforts to foster a culture of equality, tolerance and mutual respect, to prevent and combat persistent discrimination and to ensure that all cases of discrimination against children in all sectors of society are effectively addressed (see CRC/C/FRA/CO/4 and Corr.1, para. 31). The Committee also recommends that the State party strengthen its efforts to challenge gender stereotypes, including within the framework of the action plan for equality, with measurable objectives and a time frame, aimed specifically at children in all levels of education, and to make relevant training for educators compulsory.</p> <p>Best interests of the child</p> <p>25. The Committee notes with appreciation that the principle of the best interests of the child has been raised at the constitutional level and that the Court of Cassation (Cour de Cassation) and the Council of State (Conseil d'État) have adopted a common position in this regard. The Committee is concerned, however, that this right is not sufficiently integrated in practice and is not always properly assessed and determined in all government actions and decisions, including by requiring that prior evaluation studies be conducted to assess the impact of government bills and public investment.</p> <p>26. In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to and have an impact on children, including through child rights impact studies.</p> <p>Right to life, survival and development</p>
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	<p>27. The Committee is deeply concerned about the absence of official statistics and the existence of reports that in the State party an estimated two children die each day, potentially as a result of domestic violence. The Committee is also deeply concerned that, in cases involving parents who have been convicted of serious offences, including murder, against one or more of their children, and who continue to pose a risk to their surviving children, the State party prioritizes maintaining family ties over the best interests of the child, and allows such parents to retain their parental rights, putting the rights to life, survival and development of their other children at risk.</p> <p>28. The Committee recommends that the State party:</p> <p>(a) In the light of the numerous initiatives, including diagnostic studies, it has undertaken to understand and address the incidence of child maltreatment death, adopt all necessary measures to prevent the phenomenon;</p> <p>(b) Establish a requirement for all judges to systematically raise the matter of revoking parental responsibility in cases involving parents convicted for any serious offences against one or more of their children, and make it explicit in law that the best interests of the child must prevail over any other consideration in these decisions.</p> <p>D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</p> <p>Torture and other cruel, inhuman or degrading treatment or punishment</p> <p>40. The Committee is concerned by cases of ill-treatment of children with disabilities in institutions and the insufficient independent monitoring of such institutions. It is particularly concerned that in some cases the personnel denouncing ill-treatment have reportedly been accused of defamation and condemned, while perpetrators were rarely brought to justice, in spite of video-recorded evidence. The Committee is further concerned that the “packing” technique (wrapping the child in</p>
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	<p>cold, wet sheets), which amounts to ill-treatment, has not been legally prohibited and is reportedly still practised on some children with autistic spectrum disorders.</p> <p>41. The Committee urges the State party to increase initiatives to understand, prevent and counter the root causes of ill-treatment of children in institutions, and that it:</p> <p>(a) Establish oversight mechanisms that are able to undertake regular and effective independent inspections of institutions;</p> <p>(b) Thoroughly and promptly investigate any allegations of ill-treatment, bring the perpetrators to justice and provide care, recovery, reintegration and compensation for child victims;</p> <p>(c) Create accessible and child-friendly reporting systems and services, including confidential channels for denouncing cases of ill-treatment and protection from reprisals, particularly for children, their families and personnel;</p> <p>(d) Legally prohibit the practice of “packing” children and any other practice that amounts to ill treatment.</p> <p>Freedom of the child from all forms of violence</p> <p>42. The Committee welcomes the initiatives adopted to improve the identification and monitoring of children at risk of all forms of violence. The Committee is concerned, however, about the lack of a comprehensive strategy addressing all forms of violence against children and the high and increasing incidence of domestic violence and gender-based violence in the State party. The Committee is also concerned about:</p> <p>(a) The absence of standardized guidelines, protocols and referral mechanisms for child victims or</p>
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	<p>witnesses of violence, insufficient coordination and training of public officials working with children, particularly to detect, report and take action or refer cases of suspected violence against children;</p> <p>(b) Insufficiencies and large disparities across the territory in the structures that shelter child victims of domestic violence and offer medico-psychological assistance for child victims;</p> <p>(c) Insufficient awareness-raising initiatives at schools with regard to children’s rights, particularly the right to be protected from violence, including harassment and bullying;</p> <p>(d) The physical and mental well-being and development of children exposed to violence, including on television and in certain performances, such as bullfighting.</p> <p>43. Recalling the Committee’s general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and the 2030 Agenda for Sustainable Development, the Committee recommends that the State party expedite the adoption of a comprehensive strategy to prevent and counter all forms of violence against children, within the overall policy of child protection. It also recommends that the State party:</p> <p>(a) Establish a national database on all cases of violence against children, including ill-treatment, sexual abuse and neglect, domestic violence, harassment and bullying;</p> <p>(b) Develop appropriate guidelines, protocols and referral mechanisms for child victims or witnesses of violence and ensure their consistent application across the State party;</p> <p>(c) Empower children to protect themselves and their peers from violence through awareness of their rights and the development of social skills, as well as age-appropriate strategies;</p> <p>(d) Further strengthen awareness-raising and education programmes, including campaigns, with</p>
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		<p>the involvement of children;</p> <p>(e) Ensure that all child victims of violence have access to protective shelters and services for their recovery and social reintegration;</p> <p>(f) Increase efforts to change violent traditions and practices that negatively affect the well-being of children, including by prohibiting children’s access to bullfighting and associated performances.</p> <p>Corporal punishment</p> <p>44. The Committee reiterates its recommendation to the State party to explicitly prohibit corporal punishment in all settings, including in the family, in schools, in childcare settings and in alternative care (see CRC/C/FRA/CO/4 and Corr.1, para. 58). In the light of its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee reminds the State party that no violence against children is justifiable and that corporal punishment is a form of violence, invariably degrading and preventable, and urges the State party to promote positive, non-violent and participatory forms of child-rearing and discipline, including through public education campaigns.</p> <p>E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))</p> <p>Family environment</p> <p>49. The Committee is concerned that the State party continues to refer to “parental authority”, which is not conceptually in line with the rights of the child. The Committee is also concerned that the physical abuse of children has risen since 2008 and that weak links in the child protection chain have resulted in cases of children left at risk of domestic violence and unprotected at home, partly due to the slow implementation of Law No. 2007-293 of 5 March 2007 on the reform of child</p>
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		<p>protection.</p> <p>50. The Committee recommends that the State party:</p> <p>(a) Consider replacing the term “parental authority” with “parental responsibility” or similar terminology, in line with the rights of the child;</p> <p>(b) Adopt all necessary measures to improve national and local governance of child protection policies by promoting communication, cross-cutting approaches and coordination between actors;</p> <p>(c) Ensure the full implementation of Law No. 2007-293 of 5 March 2007 by public authorities at all levels, including with regard to prevention, the identification of children at risk and the quality of care interventions.</p> <p>Family reunification</p> <p>51. The Committee is concerned by the three judgements of the European Court of Human Rights against the State party on 10 July 2014 for its failure to comply with the right to respect for family life, finding that the decision-making process for the issuance of visas had not demonstrated the required guarantees of flexibility, speed and efficacy.</p> <p>52. The Committee recommends that the State party take the legal and other measures necessary to establish a practice in the area of family reunification in accordance with the principles and provisions of the Convention and in fulfilment of the above-mentioned guarantees.</p> <p>Children deprived of a family environment</p>
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	<p>53. The Committee is concerned that existing care alternatives to tailor placement to each child are seldom practised and is also concerned about the growing number of children separated from their families by judicial order, which particularly affects children whose families live in poverty. It is further concerned at the few opportunities for children placed in childcare and in alternative care to contact and meet with their families, at the geographic distance between the family home and institutional care locations, and at the insufficient consideration of the views and the best interests of the child when decisions on alternative care are made by the child welfare service (ASE). It is further concerned by: (a) The overrepresentation of children with disabilities in child welfare service institutions; (b) The situation and status of children abandoned de facto but not de jure to such institutions; (c) Placement decisions that are taken without a view to ensuring continuity of a child's familiarity with his or her surroundings, foster carers and environment; (d) The insufficient preparation and assistance provided to children from the age of 16 to prepare them for entrance into adult life.</p> <p>54. The Committee recommends that the State party:</p> <p>(a) Support and facilitate family-based care for children wherever possible, and establish a system of foster care for children who cannot stay with their families, especially encouraging foster care for children with disabilities to accelerate the deinstitutionalization process;</p> <p>(b) Ensure adequate safeguards and clear criteria, based on the needs, views and best interests of the child, for determining whether a child should be placed in alternative care;</p> <p>(c) Ensure that children placed in alternative care can maintain contact with their parents, to the extent possible, taking due account of geographical proximity and the child's familiar surroundings, foster carers and environment;</p> <p>(d) Clarify the legal situation and status of children abandoned to the child welfare service;</p>
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		<p>(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible, including for children approaching the age of adulthood.</p> <p>Adoption</p> <p>55. The Committee welcomes the adoption on 22 October 2014 of the circular setting out the legal effects of the kafalah system in the State party. However, the Committee is concerned about:</p> <p>(a) The lack of information about traditional adoptions known as “child circulation” in French Polynesia and New Caledonia, which continue to take place, without an approved intermediary and without any real guarantees for the families or the children concerned;</p> <p>(b) The insufficient support provided to adoptive parents and other family members in the adoption of children with specific needs owing to their age, siblings, disability or illness;</p> <p>(c) The high number of intercountry adoptions involving countries of origin that are not party to or do not comply with the safeguards of the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.</p> <p>56. The Committee recommends that the State party ensure that, with regard to adoptions, the principle of the paramountcy of the best interests of the child is strictly observed. The Committee also recommends that the State party:</p> <p>(a) Collect, in a systematic and ongoing manner, disaggregated statistical data and relevant information on domestic and intercountry adoptions in order to better understand and address</p>
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	<p>the phenomenon;</p> <p>(b) Provide information on the practice of “child circulation” in French Polynesia and New Caledonia in its next periodic report and adopt measures to prevent new cases from occurring;</p> <p>(c) Ensure that all the safeguards provided in the 1993 Hague Convention are met, even if the other country involved is not a party to that Convention, and conclude bilateral agreements upholding the standards of the Convention on the Rights of the Child and the 1993 Hague Convention with countries that have not ratified the latter;</p> <p>(d) Ensure that adoptive parents and families are provided with adequate specialized adoption support.</p> <p>F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)</p> <p>Children with disabilities</p> <p>57. The Committee recognizes the efforts made by the State party to strengthen the inclusion of children with disabilities. However, the Committee is concerned by the slow and unequal implementation of Law No. 2005-102 of 11 February 2005 and Law No. 2013-595 of 8 July 2013 regarding inclusive education for all children, and that progress in ensuring that children with disabilities attend mainstream schools rather than hospitals or medico-social institutions has been slow, with an exacerbated situation in the overseas departments and territories. The Committee is also concerned that the law provides for a system of special units within mainstream schools for children as young as the age of 3; that some children with disabilities are institutionalized; that some are still in segregated schools; and that others drop out of school as a result of a lack of accommodation and support. The Committee is further concerned about:</p>
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		<p>(a) Persistent discrimination against children with disabilities, especially children with multiple disabilities, in accessing education, regarding equality with others, including during recreational and extracurricular activities, in school facilities and during vocational training;</p> <p>(b) Families facing major obstacles to obtaining and maintaining the necessary support they are entitled to receive, including enough hours of school assistance;</p> <p>(c) School personnel who are insufficiently trained and supported, the insufficient number of specialized and qualified assistants, and the scarce number of accessible and adapted school curricula, teaching and evaluation materials and classrooms.</p> <p>58. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to effectively adopt a human-rights based approach to disability without delay, to recognize the right of all children to inclusive education and to ensure that inclusive education is given priority over the placement of children in specialized institutions and in segregated classes at all levels.</p> <p>The Committee specifically recommends that the State party:</p> <p>(a) Organize the collection of data on children with disabilities and develop an efficient system for early identification to facilitate the design of appropriate strategies and programmes for them;</p> <p>(b) Adopt measures to facilitate and ensure access to appropriate support;</p> <p>(c) Train all teachers and education professionals on providing inclusive education and individual support, creating inclusive and accessible environments, and giving due attention to the specific situation of each child;</p>
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	<p>(d) Ensure sufficient resource allocation for all children, including children with disabilities, to be supported with the most appropriate plan for responding to their needs and circumstances;</p> <p>(e) Undertake awareness-raising campaigns to combat the stigmatization of and prejudice against children with disabilities.</p> <p>Standard of living</p> <p>69. The Committee welcomes the adoption of the multi-year poverty reduction and social inclusion plan but is concerned about the situation of the 20 per cent of children who live in poverty and the large numbers of homeless children. It is particularly concerned about the worsening situation of children and families affected by the economic crisis living in poverty, particularly children in families headed by single parents and children living in shantytowns or in “sensitive urban areas”, as well as children living in “emergency lodging” for periods extending to years. While welcoming the recent efforts by the State party to address disparities in the overseas departments and territories, the Committee nevertheless notes with particular concern the persistence and widening of social inequality across the territory of the State party, the slow progress in reducing the gap in the enjoyment of rights by children in the overseas departments and territories, particularly in French Guyana and Mayotte, and the situation of migrant children, particularly unaccompanied migrant children. It is also concerned by cases of forced eviction of Roma children and their families, without alternative relocation and without notice.</p> <p>70. The Committee recommends that the State party make the eradication of child poverty a national priority and that it allocate the necessary human, technical and financial resources to programmes to support those children and families in most need of support, particularly children and families affected by the economic crisis who are living in poverty, children in families headed by single parents or living in shantytowns or “sensitive urban areas”, children in the overseas departments and territories and unaccompanied migrant children. The Committee also urges the</p>
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	<p>State party to respect its international obligations with regard to forced evictions and encourages it in its endeavours towards the inclusion of Roma children and their families.</p> <p>H. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)</p> <p>Asylum-seeking, unaccompanied migrant children and refugee children</p> <p>73. The Committee is concerned about the situation of unaccompanied migrant children in the State party who cannot access special protection and assistance measures. It is concerned that the State party does not sufficiently consider the best interests of the child as a guiding principle in all initial assessment processes and subsequent arrangements. The Committee notes with concern the difficulties faced with regard to accessing child protection structures and legal representation, psychological support, social assistance and education, especially for 17-year-olds. The Committee is also concerned that the procedure set out in the circular of 31 May 2013, on the equitable distribution of services provided to unaccompanied migrant children, has been partially annulled by the Council of State (Conseil d'Etat) decision of January 2015, resulting in insufficient quality of care and protection of children and refusals by certain municipalities to provide such protection. It notes with concern the number of children subjected to administrative detention in 2014, most of them in Mayotte, in degrading conditions and without access to a judge. The Committee is also concerned about:</p> <p>(a) The situation of unaccompanied migrant children automatically placed in waiting zones of airports or hotels, and other administrative detention facilities (locaux de rétention administrative), sometimes detained with adults, and reports of their removal, even before they speak to an ad hoc administrator;</p> <p>(b) The overreliance on bone tests to determine the age of children, and cases in which the child's</p>
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	<p>consent was, in practice, not sought.</p> <p>74. The Committee recommends that the State party guarantee sufficient human, technical and financial resources throughout its jurisdiction to specialist and child-specific support, protection, legal representation, social assistance, and educational and vocational training of unaccompanied migrant children and build the capacities of law enforcement officials in this regard. It also recommends that the State party:</p> <p>(a) Adopt the necessary measures, including those of a legal nature, to avoid the detention of children in waiting zones through increased efforts to find suitable alternatives to deprivation of liberty and place children in appropriate accommodation, and to fully respect non-refoulement obligations;</p> <p>(b) Put an end to the use of bone tests as the main method to determine the age of children, using instead other methods that are proven to be more accurate.</p> <p>75. The Committee welcomes the State party's commitment to receive a large number of Syrian refugees, including children, over the next two years. However, the Committee is concerned at the precarious situation of children and their families in refugee camps in the northern part of the State party, such as in Calais and in Grande-Synthe, the refusal by authorities to register children and the lack of sufficient resources for venues and services to provide them with appropriate and adapted protection.</p> <p>76. The Committee reminds the State party of its primary responsibility for the protection of children in accordance with its international obligations and urges the State party to ensure the rights of all children, including children living in refugee camps, to registration, humane living standards and adequate health care services.</p>
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		<p>Children in armed conflict</p> <p>77. The Committee welcomes the efforts by the State party to prevent the recruitment of children by non-State armed groups and radical religious and ideological movements, including the national plan to combat violent radicalization and jihadist networks. The Committee is concerned, however that children and young persons in the State party continue to be brainwashed into joining such movements and networks, particularly through the Internet.</p> <p>78. The Committee recommends that the State party strengthen measures to prevent the recruitment of children by non-State armed groups and radical religious and ideological movements and, in particular, to understand the phenomenon and its root causes among children and youth in the State party. It also recommends that the State party increase its resource allocation to invest in outreach and empowerment programmes, ensuring the engagement of children and youth, as well as the wider community.</p> <p>Sale, trafficking and abduction</p> <p>79. While welcoming the adoption of the national action plan to combat human trafficking for the period 2014-2016, the Committee is concerned that the plan does not have time-bound, measurable benchmarks and is not yet operational. Particularly, the Committee is concerned by the fragmentation and inequality across jurisdictions for children seeking to obtain assistance, and by:</p> <p>(a) The very small number of cases resulting in convictions;</p> <p>(b) The insufficiency of measures to correctly identify child victims of trafficking based on the best interests of the child, and the fact that the presumption of minority is not always respected, including in cases of children forced into delinquency;</p>
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		<p style="text-align: center;">Country Report</p> <p>CRC/C/FRA/5</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fFRA%2f5&Lang=en</p>

OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	05 Feb 2003	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	05 Feb 2003	
ICCPR	Accession Date	Care-Related Concluding Observations
	04 Nov 1980	
ICESCR	Accession Date	Care-Related Concluding Observations
	04 Nov 1980	
CEDAW	Ratification Date	Care-Related Concluding Observations
	14 Dec 1983	
UPR	Date of Consideration	Link to Page
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Hague Intercountry Adoption	Ratification Date	Link to Country Profile
	30 Jun 1998	https://www.hcch.net/en/states/hcch-members/details1/?sid=39

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Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review