



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of the Congo*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of the Congo¹ at its 2758th and 2759th meetings,² held on 15 and 16 January 2024, and adopted the present concluding observations at its 2786th meeting, held on 2 February 2024.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative measures taken by the State party to implement the Convention, including the new Constitution adopted on 25 October 2015, which, inter alia, make all duly ratified relevant international human rights instruments an integral part of the Constitution. The Committee also welcomes the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and of the Convention on the Rights of Persons with Disabilities and its Optional Protocol. The Committee further welcomes the following institutional and policy measures that have an impact on children:

- (a) The creation of local civil status centres and the training of civil status officials;
- (b) The National Strategic Plan for the Prevention of HIV/AIDS among Adolescents and Youth 2020–2024;
- (c) Decree No. 2023-25 of 23 January 2023 on the creation, organization, composition and functioning of the Children's Parliament of the Congo;
- (d) Decree No. 2019-204 of 12 July 2019 on special measures to facilitate access to education for Indigenous children and adult literacy;
- (e) Ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

* Adopted by the Committee at its ninety-fifth session (15 January–2 February 2024).

¹ [CRC/C/COG/5-6](#).

² See [CRC/C/SR.2758](#) and [CRC/C/SR.2759](#).

³ [CRC/C/COG/RQ/5-6](#).



III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: birth registration and nationality (para. 21), violence against children (paras. 23 and 25), harmful practices (para. 30), health (para. 36), education (para. 44) and economic exploitation (para. 50).

5. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Legislation

6. While welcoming the revision in 2015 of the Constitution, and Law No. 10-2022 of 20 April 2022 on the penitentiary code in the Congo, during the reporting period, which took into account previous recommendations of the Committee,⁴ the Committee recommends that the State party:

(a) Accelerate the adoption of legislation pending revision and address the large time gaps between adopting and enforcing laws;

(b) Ensure effective implementation of legislation, especially in rural areas, including by allocating adequate financial resources and promoting the capacity-building of judges, law enforcement officials, lawyers, teachers, health professionals and other relevant professionals.

Comprehensive policy and strategy

7. The Committee recommends that the State party urgently adopt, through a consultative process including with children, a comprehensive national plan of action for children, budgeted and decentralized, with clear commitments, roles and responsibilities built on the framework of the Convention.

Coordination

8. The Committee recommends that the State party finalize and issue the pending decree to establish the National Child Protection Coordinating Committee, and endow it with a mandate and adequate budget to effectively coordinate all activities related to the implementation of the Convention at the national, district and cross-sectoral levels, and address the weaknesses and fragmentation of the coordination at the local and regional levels.

Allocation of resources

9. Noting with concern that, despite the increase of financial resources, the State party's social indicators continue to lack improvement, and investment in the social sectors continues to be insufficient for all children to fully exercise their rights, and that corruption remains pervasive, despite efforts by the State party to eliminate it, and in the light of its general comment No. 19 (2016) on public budgeting for the realization of

⁴ CRC/C/COG/CO/2-4, paras. 29 and 43.

children's rights, the Committee reiterates its previous recommendations⁵ that the State party:

(a) Substantially increase its budget allocations to adequate levels in the areas of social spending for children and their families, for operations as well as for investments;

(b) Establish a budgeting process that includes a holistic child-rights perspective allowing clear identification of the budgets dedicated to children and that sets out clear allocations for children in the relevant sectors and agencies, at the national and local levels;

(c) Urgently strengthen the capacity of the administration to efficiently disburse the allocated budgets to reach the targeted child populations, and establish specific indicators and mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated;

(d) Urgently strengthen and implement measures to combat corruption, and strengthen institutional capacities to detect, investigate and prosecute corruption effectively.

Data collection

10. Welcoming the establishment of the Higher Commission for Statistics and the creation of the National Training Centre for Statistics, Demography and Planning, but noting with concern the inadequacy of the State party with regard to collecting reliable data about children, the Committee, in line with its previous recommendations,⁶ recommends that the State party:

(a) Improve its data-collection system and ensure that it covers all areas of the Convention and of the Optional Protocols thereto, with data disaggregated by age, sex, disability, nationality, geographical location, ethnic origin and socioeconomic background, in order to facilitate analysis of the situation of all children, especially in the areas of health, violence, sexual exploitation, child labour, trafficking and child justice, and in particular children in street situations;

(b) Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;

(c) Take into account the conceptual and methodological framework set out in the guidelines of the Office of the United Nations High Commissioner for Human Rights entitled *Human Rights Indicators: A Guide to Measurement and Implementation*⁷ when defining, collecting and disseminating statistical information;

(d) Continue its technical cooperation with, among others, the United Nations Children's Fund (UNICEF) and regional mechanisms.

Access to justice and remedies

11. The Committee recommends that the State party ensure that all children have access to:

(a) Confidential, child-friendly and independent complaints mechanisms in schools, in alternative care settings, in foster care systems, in mental health settings and in detention for reporting all forms of violence, abuse, discrimination and other violations of their rights. The Committee also recommends that the State party raise awareness among children of their right to file a complaint under existing mechanisms;

⁵ Ibid., para. 17.

⁶ Ibid., para. 19.

⁷ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/human-rights-indicators-guide-measurement-and>.

(b) **Legal support, representation and remedies, including by removing barriers faced by children in disadvantaged situations and expanding the types of support provided under the legal aid budget;**

(c) **Officials working with children in the justice system who have been adequately trained on children's rights and child-friendly proceedings.**

Independent monitoring

12. **Noting that the National Human Rights Commission is only partially compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that this body does not have adequate capacity to monitor children's rights effectively, the Committee, reiterating its previous recommendations, recommends that the State party:**

(a) **Guarantee the independence of the National Human Rights Commission, including with regard to its staffing, funding, mandate and immunities, so as to ensure its full compliance with the Paris Principles;**

(b) **Ensure that it effectively covers children's rights, either by dedicating a section to this, or by creating a separate institution specifically covering children's rights.**

Dissemination, awareness-raising and training

13. **While noting the various efforts made by the State party to disseminate information and provide training on the Convention, the Committee remains concerned that principles and provisions of the Convention are not disseminated systematically at all levels of society, and that training on the Convention remains insufficient. Reiterating its previous recommendations,⁸ the Committee encourages the State party to strengthen its awareness-raising programmes and ensure that all professionals working with and for children, as well as the media, receive mandatory training on the rights of the child under the Convention.**

Cooperation with civil society

14. **Noting the difficulties faced by non-governmental organizations in obtaining legal status, including those working on children's rights, which in turn limits their ability to carry out their work, the Committee recommends that the State party facilitate the work of such organizations by ensuring their registration and consider financially supporting their work, in particular when they carry out public service tasks on behalf of the authorities, such as the care of children deprived of a family or other child protection programmes.**

Children's rights and the business sector

15. **Drawing the State party's attention to its general comment No. 16 (2013) and recalling its previous recommendation,⁹ the Committee recommends that the State party:**

(a) **Establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights and in the light of the Guiding Principles on Business and Human Rights;**

(b) **Conduct an impact assessment of the business sector, including the extractive and informal sectors, in relation to international and national human rights, health, environmental and other standards with a view to adapting its legislative framework to ensure legal accountability;**

⁸ [CRC/C/COG/CO/2-4](#), para. 23.

⁹ *Ibid.*, para. 27.

(c) Ensure that children who are victims of abuses by businesses have access to effective remedies, including by putting in place appropriate and effective remedial judicial and non-judicial mechanisms for violations of children's rights that are widely known and readily available to all children and their representatives.

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

16. Noting with concern that children with disabilities, children in street situations, Indigenous children, children with albinism, and girls, particularly girls who fall into the aforementioned categories, continue to be subject to multiple discrimination from the earliest stages of their life, and through their childhood, including gender-based discrimination, due to the persistence of adverse and traditional attitudes and norms, and recalling targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Urgently address all forms of discrimination and, in particular, expand girls' education, improve their safety and protect them against violence:

(b) Undertake effective systematic efforts, including with religious, tribal and village leaders, opinion makers, and the mass media, to combat and change all these discriminatory attitudes and practices;

(c) Address the gaps between children living in urban and rural areas.

Best interests of the child

17. Concerned about the lack of information regarding the concrete implementation of the Child Protection Act, and recalling 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:

(a) Ensure that the right of the child to have his or her best interests taken as a primary consideration 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;

(b) Establish compulsory processes for ex ante and ex post impact assessments of all laws and policies relevant to children on the realization of the right of the child to have his or her best interests taken as a primary consideration;

(c) Seek assistance from UNICEF to develop training programmes and materials for all professionals working with or for children.

Respect for the views of the child

18. Welcoming the creation, organization, composition and functioning of the Children's Parliament of Congo by Decree No. 2023-25 of 23 January 2023, as well as the elections to the said parliament held from 26 May to 5 June 2023, the Committee recommends that the State party:

(a) Institutionalize the Children's Parliament of Congo, ensure that it is provided with a meaningful mandate and adequate human, technical and financial resources, in order to facilitate children's effective engagement with national legislative processes on issues that affect them, and ensure that the outcomes of its work are systematically fed into public decision-making;

(b) Combat actively the negative perception of children as incapable of understanding matters that concern them, promote and enable meaningful and empowered participation of all children, particularly girls, children with disabilities, children in street situations and Indigenous children, within the family and in schools,

communities and the media in all matters related to them, and ensure that their views are given due weight;

(c) **Ensure that children are heard in a child-friendly manner in judicial and administrative proceedings and their opinions are taken into account in accordance with their age and maturity, and establish procedures and provide training for judges, social workers and all other relevant professionals;**

(d) **Seek assistance from UNICEF to develop training programmes and materials for all professionals working with or for children.**

Right to life, survival and development

19. **The Committee recommends that the State party investigate all cases of murder of children, in particular children in street situations and Indigenous children, and prosecute and bring to justice those responsible.**

C. Civil and political rights (arts. 7, 8 and 13–17)

Birth registration

20. The Committee welcomes Decree No. 2022-308 of 13 June 2022 approving the national policy for the reform and modernization of civil status in the Congo (2022–2026), as well as the State party's cooperation project with the African Development Bank on the implementation of a National Digital Identity System. Nevertheless, the Committee remains seriously concerned about the large number of children who are still not registered, the existence of unofficial payments attached to late birth registration, the insufficient number of civil registry offices in remote areas and the insufficient awareness of the importance of registration. It also notes with concern that the one-month limit for families to register births increases difficulties and costs for families.

21. **Taking note of target 16.9 of the Sustainable Development Goals, the Committee urges the State party:**

(a) **To abolish all birth registration fees and ensure that all children, including Indigenous children and children of unmarried parents, are properly registered at birth, including by raising awareness among the general population on the procedure for obtaining a birth certificate, and its free delivery, as well as by specifically targeting personnel working at civil registry services;**

(b) **To extend the one-month limit to allow families more time to register births, to ensure that children without a birth certificate can access education and all other essential social services, and to consider implementing “catch-up registration” through schools;**

(c) **To allocate sufficient funding and resources to ensure the effective implementation of the establishment of auxiliary civil status centres in health facilities.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)

Torture and other cruel, inhuman or degrading treatment or punishment

22. The Committee is seriously concerned about:

(a) Reports that children, predominantly in street situations, are subjected to threats, arbitrary arrests and ill-treatment subsequent to their deprivation of liberty;

(b) Reports of low levels of knowledge among law enforcement personnel of Law No. 04-2010 of 14 June 2010, which, among other things, criminalizes corporal punishment, and the fact that, as a result, corporal punishment is normalized as part of law enforcement operations;

(c) Torture not being defined as a separate offence in the Criminal Code.

23. **Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals, the Committee urges that the State party:**

(a) **Ensure that allegations of torture or cruel, inhuman or degrading treatment or punishment of children are duly investigated, that perpetrators are punished in a manner commensurate with the gravity of their acts and that children who are victims receive adequate remedies;**

(b) **Expand and strengthen training of law enforcement personnel on the legal framework regulating policing;**

(c) **Criminalize torture as a separate offence in the Criminal Code and enforce the prohibition of torture;**

(d) **Establish an independent oversight mechanism to monitor detention facilities where children may be held and ensure that children have access to confidential, child-sensitive and independent complaint mechanisms, as well as providing it with adequate human, technical and financial resources.**

Corporal punishment

24. Noting the National Social Action Plan's component on raising awareness among families and schools, the Committee remains deeply concerned that corporal punishment remains socially acceptable and widespread in the State party, despite its explicit prohibition in law. The Committee is also concerned about the lack of concrete progress regarding the adoption of by-laws for the implementation of the Child Protection Law.

25. **Recalling 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 urges the State party to:**

(a) **Ensure that the prohibition of corporal punishment is adequately enforced in all settings, including by immediately adopting the relevant by-laws, and that cases of violations are adequately addressed;**

(b) **Strengthen and expand existing efforts to raise the awareness of parents, teachers, professionals working with and for children, and the general public about the harm caused by corporal punishment, and promote positive, non-violent and participatory forms of child-rearing and discipline;**

(c) **Immediately adopt relevant by-laws for the implementation of the Child Protection Law.**

Freedom of the child from all forms of violence

26. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Develop a comprehensive national strategy and coordination framework to prevent and address all forms of violence against children, including the gender dimension of violence;**

(b) **Establish a child protection infrastructure for investigating and reporting all forms of violence against children, including sexual abuse of children;**

(c) **Put into place accessible, confidential and child-friendly mechanisms to facilitate and promote the mandatory reporting of violence, including sexual violence, against children;**

(d) **Further strengthen awareness-raising and education programmes, including campaigns, with the involvement of children, with the aim of identifying and reporting cases of violence against children;**

(e) Encourage community-based and family-based programmes aimed at preventing and tackling domestic violence, child abuse and neglect, including by involving former victims, volunteers and community members, and providing training support to them;

(f) Establish a confidential national database on all cases of domestic violence against children, and undertake a comprehensive assessment of the extent, causes and nature of such violence;

(g) Ensure the allocation of adequate human, technical and financial resources to the Observatory for Childhood in Danger to enable it to implement long-term programmes for addressing the root causes of violence and abuse.

27. The Committee urges the State party to ensure that allegations of crimes related to gender-based violence and sexual violence are independently, immediately and thoroughly investigated and that perpetrators are brought to justice. The State party should provide regular substantive training for judges, lawyers, prosecutors, the police and other relevant professional groups on standardized, gender- and child-sensitive procedures for dealing with victims and on how gender stereotyping by the judiciary negatively affects law enforcement.

Recovery and reintegration

28. The Committee recommends that the State party ensure the development of programmes and policies for the prevention, recovery and social reintegration of child victims, and that it ensure that all children who are victims of violence are provided with access to physical and psychological recovery and social reintegration, as well as compensation, giving due consideration to the obligations enshrined in article 39 of the Convention.

Harmful practices

29. Despite the existence of legal provisions prohibiting harmful customs and traditions, the Committee notes the persistence of:

(a) Child marriage, which remains a commonly accepted practice and is not fully banned by law, as the Public Prosecutor can grant exceptions;

(b) Female genital mutilation among some West African communities living in the State party, as well as in mixed marriages;

(c) Physical marking for tribe identification, including branding;

(d) Body modifications and imposed dietary restrictions on pregnant girls.

30. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and the previous recommendations of the Committee,¹⁰ and taking note of target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Establish a strict minimum marriage age of 18 years for both boys and girls, with no exceptions, and develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting households, local authorities, tribal and religious leaders, judges and prosecutors;

(b) Establish protection schemes for victims of child marriage;

(c) Take active measures to put an end to harmful practices against children in the State party, including female genital mutilation, physical marking, body modifications and imposed dietary restrictions.

¹⁰ CRC/C/COG/CO/2-4, para. 63.

Optional Protocol on the sale of children, child prostitution and child pornography

31. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, given that the related report has been overdue since 27 November 2011.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Children deprived of a family environment

32. Drawing the State party's attention to the Guidelines for the Alternative Care of Children,¹¹ the Committee reiterates its previous concerns¹² and recommends that the State party:

(a) Accelerate the adoption of the draft Family Code and ensure its alignment with the Convention;

(b) Implement the National Policy for Integrated Early Childhood Development with a view to supporting families by means of early interventions to prevent out-of-home placements, paying special attention to abandonment of children for economic reasons, and to parental encouragement of street work by their children;

(c) Ensure adequate safeguards and clear criteria, based on the needs as well as the best interests of the child, for determining whether a child should be placed in alternative care;

(d) Reduce the number of children in care homes and children's shelters and increase the community- and family-based care options based on the evaluation of the trial foster care programme;

(e) Establish quality standards for all alternative care settings, in particular for private care homes, ensure periodic review of the placements, and monitor the quality of care therein, including by providing accessible channels for reporting, and remedying maltreatment of children;

(f) Continue to increase the number, and the continuous training, of social workers at the central and municipal levels, and ensure adequate social guarantees for them.

Children of incarcerated parents

33. The Committee recommends that the State party protect and ensure the visitation rights of the children of incarcerated parents, including by increasing the frequency and duration of visits and providing adequate and child-friendly meeting premises.

F. Children with disabilities (art. 23)

34. Welcoming the State party's ratification in 2014 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, the Committee recalls its general comment No. 9 (2006) on the rights of children with disabilities and urges the State party to adopt a human rights-based approach to disability, to set up a comprehensive strategy for the inclusion of children with disabilities, and:

(a) To harmonize all relevant national legislation with the human rights model of disability, and rapidly enforce it;

¹¹ General Assembly resolution 64/142, annex.

¹² CRC/C/COG/CO/2-4, para. 53.

(b) **To strengthen the budgets and policies for social inclusion of children with disabilities, including by supporting their families, developing accessible rehabilitation services and providing assistive devices;**

(c) **To undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of, and prejudice against, children with disabilities, in particular children with intellectual or psychosocial disabilities and children with albinism, and to promote a positive image of children with disabilities as rights holders.**

G. Health (arts. 6, 24 and 33)

Health and health services

35. The Committee welcomes the State party's 2018–2022 Strategic Plan for Reproductive, Maternal, Newborn, Child and Adolescent Health but regrets the lack of concrete information on its implementation and results. The Committee is also concerned about:

(a) The high rates of neonatal mortality, perinatal death and stillbirth;

(b) The high rates of under-5 mortality resulting from preventable diseases and conditions, such as pneumonia, malaria, diarrhoea, anaemia and malnutrition;

(c) The high rates of undernutrition, including stunting, micronutrient deficiency, and malnutrition in adolescent girls;

(d) The unreliable provision of essential medicines and vaccines;

(e) The lack of qualified staff and emergency obstetric and neonatal care facilities, particularly in rural areas, and the poor quality of services and infrastructure in basic public health services for children.

36. **Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and taking note of targets 2.2, 3.1, 3.2 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party seek financial and technical assistance from UNICEF and the World Health Organization, among other entities, in order:**

(a) **To identify the root causes of neonatal and perinatal mortality and stillbirth, and to design evidence-based and adequately resourced programmes for comprehensive newborn health interventions and early health care;**

(b) **To implement and apply policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age;**

(c) **To strengthen efforts to prevent undernutrition, stunting and undernourishment among children by, inter alia, promoting proper infant and young child feeding practices, providing nutritional supplements and strengthening efforts to raise public awareness of good nutrition;**

(d) **To take all measures necessary to promote exclusive breastfeeding for at least six months, including appropriate guidance and support for breastfeeding by HIV-infected mothers, and to regulate the promotion of breast-milk substitutes;**

(e) **To allocate sufficient earmarked funding for the procurement and distribution of medicines and vaccines;**

(f) **To ensure that primary health-care services are accessible and affordable, including by training health-care personnel in rural areas to ensure that all children living in poverty can obtain free health care.**

Mental health

37. **Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party collect data on mental health issues, including suicide,**

among children and adolescents, develop and implement a mental health policy and strategy, with a focus on prevention, on the development of outpatient services and on addressing emerging mental health issues in children and adolescents, ensure the provision of mental health services and programmes, and encourage children and adolescents to seek mental health services without stigma.

Adolescent health

38. Extremely worried by the very high level of adolescent pregnancy and the very limited access to contraception, and recalling its general comment No. 4 (2003) on adolescent health and its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and taking note of targets 3.5, 3.7 and 5.6 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Identify factors contributing to unintended and early pregnancies and urgently develop a plan of action to prevent them;
- (b) Ensure that all girls and boys, including those who are out of school and those in rural areas, receive confidential and child-friendly sexual and reproductive health information and services, including wide access to contraceptives and safe abortion;

HIV/AIDS

39. Recalling its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, and taking note of target 3.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Sustain the measures in place to prevent mother-to-child transmission of HIV/AIDS;
- (b) Improve follow-up treatment for HIV/AIDS-infected mothers and their infants to ensure early diagnosis and early initiation of treatment;
- (c) Improve access to quality, age-appropriate HIV/AIDS and sexual and reproductive health services;
- (d) Improve access to and the coverage of antiretroviral therapy and prophylaxis for HIV-infected pregnant women;
- (e) Seek technical assistance from, inter alia, the Joint United Nations Programme on HIV/AIDS (UNAIDS), among other entities, in this regard.

Drug and substance abuse

40. Taking note of target 3.5 of the Sustainable Development Goals, the Committee recommends that the State party take measures to promote healthy lifestyles, with a focus on preventing and reducing the consumption of alcohol, tobacco, drugs and other harmful substances, targeted particularly at children in street situations.

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

Standard of living

41. Welcoming the Lisungi project's gradual roll-out to a national scale, and taking note of targets 1.1, 1.2 and 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Continue and strengthen the Lisungi project, prioritizing the provision of drinking water and environmental sanitation as well as access to and the availability and affordability of food;
- (b) Take the measures necessary to reduce homelessness and to progressively guarantee all children stable access to adequate housing that provides physical safety,

adequate space, and protection against the threats to health from damp, heat and pollution.

I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

Children's rights and the environment

42. Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, and taking note of target 13.3 of the Sustainable Development Goals and of the environmental protection legislation of the State party, the Committee recommends that the State party:

(a) Implement child rights impact assessments and revise accordingly the 2021 National Disaster Prevention and Risk Reduction Strategy and Action Plan, and integrate measures for mitigation of and adaptation to climate shocks in the education, social and health systems;

(b) Introduce environmental health standards, indicators and definitions set by the World Health Organization and ensure that health professionals receive adequate training to implement them;

(c) Pay particular attention to monitoring children's rights and the environment in the context of the extraction of oil, as well as to air pollution from vehicle emissions and water pollution from raw sewage;

(d) Update school curricula with the aim of providing child-friendly information on the rapidly changing environment, and encourage direct participation by children in environmental protection as a component of their learning process.

J. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

43. While noting that the Education Act (Act No. 25-95 of 17 November 1995) on the reorganization of the education system provides for free education, and while also taking note of Decree No. 2019-204 of 22 July 2019 on measures to facilitate Indigenous children's access to education, as well as skills-upgrading seminars for teachers undertaken in collaboration with UNICEF, the Committee is seriously concerned about:

(a) The practice of demanding enrolment and/or tuition fees in schools;

(b) The prohibitively high costs of uniforms and textbooks;

(c) The lack of, or delayed or insufficient, payment of salaries to teachers;

(d) The lack of effective measures to develop inclusive education, in particular for children with disabilities, children in rural areas, and Indigenous children and adolescents;

(e) Persistently high dropout rates, particularly among girls, due to teenage pregnancy, child marriage, discriminatory traditional and cultural practices, and poverty, particularly in rural areas;

(f) The poor and limited infrastructure of schools and classrooms that are not equipped with electricity and toilets, and the overcrowded classrooms;

(g) The poor quality of education and of teachers' skills, and the low level of basic literacy and numeracy skills;

(h) The insufficient support for the long-term development and expansion of early childhood education, and the financial barriers that prevent poor families from accessing preschool education.

44. Taking note of targets 4.1, 4.3, 4.4, 4.5, 4.6, 4.a, 4.b and 4.c of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Abolish the practice of demanding tuition, enrolment and other direct, indirect or hidden fees, in order to ensure that all children have free access to, and complete, equitable and quality primary and secondary education leading to relevant and effective learning outcomes;
- (b) Take the necessary measures to ensure that all children are enrolled in school, including Indigenous and refugee children and children with disabilities, and improve accessibility to education, paying particular attention to disparities in access to schools based on sex and on socioeconomic, ethnic, regional or any other grounds;
- (c) Provide additional school facilities, particularly in rural areas, and incorporate schools for Indigenous children into the national budget, to increase access to education for all children;
- (d) Ensure sustainability of the support and assistance to pregnant teenagers and adolescent mothers for continuing their education in mainstream schools, with particular emphasis on rural areas;
- (e) Undertake a State-wide assessment of school infrastructures, which includes assessment of the damaged school facilities in flood-affected areas, and develop a plan for reconstruction and renovation, enabling safe water, electricity and sanitation in all schools;
- (f) Urgently invest in the quality of education and training for teachers;
- (g) Develop and promote quality vocational training to enhance the skills of children and young people, especially those who drop out of school;
- (h) Implement and evaluate the National Policy for Integrated Early Childhood Development by investing in the training of early childhood development teachers and the provision of integrated formal and community-based programmes involving parents and covering health care, nutrition, and early learning for children from birth to the first year of school;
- (i) Seek international support to improve access to and the quality of education, including from UNICEF and the United Nations country team.

Human rights education

45. Taking note of target 4.7 of the Sustainable Development Goals, the Committee recommends that the State party review and update school curricula at all levels, with a view to incorporating human rights education with a focus on child rights, as well as peace education, and integrate these into the training of teachers and education professionals, taking into account the framework of the World Programme for Human Rights Education.

Rest, play, leisure, recreation and cultural and artistic activities

46. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play, recreational activities, sports and cultural activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources.

K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)

Asylum-seeking and refugee children

47. While welcoming the adoption of Law No. 41-2021 of 29 September 2021, which creates a comprehensive legal basis and an appropriate framework to provide international protection, the Committee recommends that the State party:

- (a) **Take all measures necessary to fully implement Law No. 41-2021 and improve the living conditions of asylum-seeking and refugee children, in particular with regard to their access to education and health services;**
- (b) **Ensure that internally displaced children are provided with birth certificates;**
- (c) **Consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Children belonging to Indigenous groups

48. **While welcoming the State party's issuance of the 2019 decree to implement Law No. 05-2010 on the promotion and protection of the rights of Indigenous Peoples, the Committee is concerned about its implementation and, recalling its general comment No. 11 (2009) on Indigenous children and their rights under the Convention, urges the State party:**

- (a) **To respect, protect and promote the rights of Indigenous children and to eliminate their food insecurity, poverty and vulnerabilities to violence and exploitation, with their full and effective participation;**
- (b) **To consider ratifying the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.**

Economic exploitation, including child labour

49. The Committee regrets that the information provided by the State party on the implementation of the Committee's previous recommendations¹³ is insufficient. While noting that article 40 of the 2015 Constitution prevents economic exploitation of children and adolescents and forbids the work of children under the age of 16, and that article 68 of the Child Protection Act prohibits the employment of young children, the worst forms of labour and all other domestic activities that endanger the physical or mental health of children, the Committee is seriously concerned that:

- (a) Children under the age of 16 engage in economic activity on a widespread scale, including being exploited economically, particularly by being forced to work as street vendors;
- (b) Despite article 116 of the Labour Code prescribing that the National Consultative Labour Commission shall determine the nature of the work and the categories of enterprises prohibited to young people and the age limit to which the prohibition applies, no decree has been issued to this effect;
- (c) Children work in hazardous industries, such as in artisanal gold mining, in quarries, and in garbage and landfill sorting sites.

50. **The Committee takes note of target 8.7 of the Sustainable Development Goals and urges the State party to:**

- (a) **Enforce the constitutional age limit on the employment of children, in line with the ILO Minimum Age Convention, 1973 (No. 138);**
- (b) **Issue a decree specifying the worst forms of child labour, in line with the ILO Worst Forms of Child Labour Convention, 1999 (No. 182);**
- (c) **Eliminate child labour in artisanal mining, in quarries and in garbage and landfill sorting sites and other forms of child labour, and institute further measures to increase school enrolment and prevent dropout;**
- (d) **Ensure that children who are withdrawn from work receive appropriate treatment and compensation for any harm incurred and are enrolled in the education system, including vocational training;**

¹³ [CRC/C/COG/CO/2-4](#), para. 75.

(e) Continue to use technical assistance from the ILO International Programme on the Elimination of Child Labour in this regard.

Children in street situations

51. Drawing attention to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:

(a) Assess the number of children living and/or working in the streets, and update studies on the root causes of their situations, paying special attention to the abandonment of children for economic reasons and to parental encouragement of street work by their children, and take measures to address these causes and prevent this phenomenon;

(b) Ensure that the rights of children in street situations are fully respected by the police and that they are not subject to arbitrary detention or ill-treatment.

Sale, trafficking and abduction

52. Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Investigate all cases of trafficking of children, including through the practice of *confiage*, and bring perpetrators to justice;

(b) Conduct awareness-raising activities in order to make both parents and children aware of the dangers of trafficking.

Administration of child justice

53. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, and its previous recommendations, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:

(a) Urgently adopt and fully implement the draft decree on the application of articles 74 and 75 of Law No. 4-2010 and the draft decree establishing the powers, duties, organization, competence and functioning of the police juvenile division;

(b) Consider increasing the minimum age of criminal responsibility to at least 14 years, and generalize the specialized children's courts throughout the State;

(c) Ensure the provision of free, specialized legal aid to children alleged as, accused of, or recognized as having infringed the Criminal Code from the start of the procedure and throughout the legal proceedings;

(d) Promote and make available non-custodial measures, such as diversion, probation, mediation, psychosocial support or community service, and ensure that detention is used as a measure of last resort and for the shortest possible period of time and is reviewed on a regular basis with a view to its withdrawal;

(e) For the few situations where deprivation of liberty is justified as a measure of last resort, put an immediate end to the detention of children together with adults and ensure that detention conditions are compliant with international standards, including with regard to access to education and health services;

(f) Address the phenomenon of street gangs known as "*bébés noirs*" (black babies), in full compliance with children's rights principles, by giving priority to education, prevention, diversion and restorative measures, with a view to reintegrating the children involved;

(g) Create a child-friendly environment in the context of the administration of child justice, including with a view to ensuring the well-being of children who are victims of crime.

54. Within the framework of Sustainable Development Goal 16, the Committee recommends that the State party include in the ongoing judicial reform the procedural

guarantees to which children and adolescents have rights in the processes, and that access to justice be guaranteed on the grounds of the violation of their rights.

Children in armed conflict

55. Particularly worried about the information related to cases of sexual abuse and sexual exploitation of children perpetrated by military personnel of the State party deployed in United Nations peace operations, the Committee recommends that the State party adopt measures to prevent and respond to these cases, to thoroughly investigate them and bring perpetrators to justice, to resolve outstanding paternity claims, and to provide full support to the victims claiming justice and compensation.

L. Ratification of the Optional Protocol on a communications procedure

56. The Committee recommends that the State party ratify the Optional Protocol on a communications procedure.

M. Ratification of international human rights instruments

57. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party or is only a signatory:

- (a) The International Convention for the Protection of All Persons from Enforced Disappearance;
- (b) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- (c) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

N. Cooperation with regional bodies

58. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the African Union.

IV. Implementation and reporting

A. Follow-up and dissemination

59. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

60. The Committee recommends that the State party establish a standing government structure and ensure that it has the mandate and adequate human, technical and financial resources to effectively coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and

track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the National Human Rights Commission and civil society.

C. Next report

61. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines¹⁴ and should not exceed 21,200 words.¹⁵ In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

¹⁴ [CRC/C/58/Rev.3](#).

¹⁵ General Assembly resolution 68/268, para. 16.