



**Oral Declaration
UPR Pre-session on the
Democratic Republic of the Congo**

**REEJER (“The Network of Educators of Children and Youth in
Street Situations”)**

**Apprentis d’Auteuil et
Fondation Apprentis d’Auteuil International**

(Special Consultative status with ECOSOC)

Geneva, Tuesday April 2nd 2019

Collaboration of active players committed to children's rights

REEJER

- Network founded in 1998 with over 100 member associations
- Active player committed to the support, protection and promotion of children's rights in the Democratic Republic of the Congo

Fondation Apprentis d'Auteuil

- Catholic Foundation recognised of « public utility » in France founded in 1866
- Active player committed to the prevention and protection of vulnerable children

This partnership has contributed to the **adoption of the Law on the Protection of Children, on January 10th 2009.**

The REEJER takes part jointly with Apprentis d'Auteuil (AA) and the Fondation Apprentis d'Auteuil International (FAAI) to the UPR review of the Democratic Republic of the Congo regarding the **legislative and regulatory framework for the protection of children (children in street situations, children accused of « witchcraft » and young girl-mothers) as well as on the right to education and to health.**

The Democratic Republic of the Congo has made child protection a priority...

Legislative and regulatory framework

- Universal Declaration on Human Rights (1948)
- International Convention on the Rights of the Child (1989)
- African Charter on the Rights and Welfare of the Child (1992)
- Law n° 09/001 on the Protection of Children (2009)
- Art. 123 point 16 of the National Constitution

However, nine years later, the DRC delays in signing and implementing all the measures of the Law on the Protection of Children, therefore hindering the legal application of certain provisions :

- Organization and functioning of the National Council for Children (Art. 75)
- Effective free public primary education (Art. 38)
- Access to healthcare (Art 21), and protection against all forms of exploitation and violence (Art. 57)

Today, without effective implementation of the Law on the Protection of Children, respect for, and the realization of children's rights will not be ensured in the country.

Protection of children : children in street situations, the phenomenon of children accused of « witchcraft » and young girl-mothers

Partially implemented recommendations

- Promote legislative and administrative measures to prevent and punish attacks and persecution of children accused of witchcraft (2009, Mexico)
- Criminalize acts of violence against children accused of witchcraft and organize a national campaign of awareness-raising on this issue (2009, Belgium)
- Adopt legislative measures to incriminate accusations of witchcraft against children (2009, Italy)
- Consider developing a comprehensive action plan to operationalize the recently adopted Child Code and to address concerns related to the care and protection of children (2009, South Africa)

Challenges to be met

- Children continue to be the victims of violence and accusations of witchcraft
- More and more young girls have no other choice but to turn to prostitution for survival

More than 20.000 children continue to live in the streets of Kinshasa in deplorable sanitary conditions and in great insecurity

Recommendations

- Ensure the effective implementation of the Law NO 09/001 of January 10, 2009 on the protection of children, in particular by ensuring the **immediate signature of the decree on the organization and functioning of the National Council for Children and its implementation**, as provided for in article 75.
- Run a **nationwide awareness campaign** on the phenomenon of children accused of witchcraft, targeting the mainstream public and the Evangelic churches, and **ensure that the religious leaders responsible for such offences against children are punished by law.**

Right to education

Recommendations not implemented

- Guarantee effectively that **education is free** for all children (2009, Holy See)
- Give priority to **free education** in the national budget allocations and take measures to prevent school drop out (2009, Uruguay)
- Implement policies to ensure **free education** throughout the country (2013, Namibia)
- Take all measures necessary to ensure [...] effective implementation of the **free and compulsory primary education policy** [...] (2013, Slovenia)
- Ensure the effective implementation of **free primary education** throughout the country (2013, Timor Leste)
- Strengthen measures to progressively ensure **free primary education** (2013, Ethiopia)
- Extend the **free primary education policy** throughout the country (2013, Zimbabwe)

Challenges to be met

- Access to education is still not free
- The budget dedicated to education only represents 1% of the overall national budget

In 2017, the National Coalition for Education for all in DRC presented the following number : 3,5 millions of children aged between 6 and 11 years old have no hopes of sitting in class

Right to health

Partially implemented recommendations

- Ensure the effective implementation of the national strategy to combat maternal and infant mortality and to increase access for women and girls to basic health-care services (2013, Egypt)
- Ensure the effective implementation of the national strategy on maternal and child mortality [...] health-care services and education (2013, Ireland)
- Take all measures necessary to ensure the implementation of the Plan of Action, including [...] access to basic health-care services (2013, Slovenia)
- Continue its efforts to improve the public health and education systems, as a mean to reduce poverty and to advance in the economic and social development of the country (2013, Cuba)
- Continue to take measures to [...] ensure better access to education and health care (2013, Morocco)

Challenges to be met

- Requested fees for accessing basic healthcare particularly exclude the most vulnerable children, adolescents and adults
- A vast number of children, living daily in a very violent environment, therefore do not receive health services
- In 2018, only 9,01% of the national budget was affected to the health sector

Children are always the first victims of inequalities in access to care

Recommendations

- **Guarantee unconditional access to the so-called “certificate of indigence”** for the most vulnerable children, in particular children living in the street, which allows them free access to education and health
- **Implement specific measures** meant at reducing health risks associated with early pregnancy and to **ensure the reintegration of young mothers** into the education system.



THE SITUATION OF VULNERABLE CHILDREN IS
EVERYBODY'S BUSINESS !

WE THANK YOU FOR YOUR ATTENTION

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