### **Nous, Enfants**



Youth branch of the Association JURISTES POUR L'ENFANCE association for the promotion and defense of children's rights Consultant Organization to the UN Economic and Social Council

# Report to the Committee on the rights of the child 6th periodic review of France International convention on the rights of the child

Report presented in the French language by the young people of the Youth branch "*Nous, Enfants*" of the Association "*Juristes pour l'enfance*" on June, 25<sup>th</sup> 2020:

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# 1. Presentation of "Nous, Enfants"

"**Nous, Enfants**" (We, Children) is the "Young people, Children" branch of the association Juristes pour l'enfance.

Juristes pour l'enfance (JPE) is a non-political Association (NGO), gathering lawyers and people involved with children, willing to dedicate their expertise to serve defending children's rights. JPE benefits from the status of consultant with the UN Economic and Social Council.

#### Genesis of Nous, Enfants

Many children and young people are interested in the evolution of the society and in the debates held in France, particularly at the occasion of the adoption of important laws. They demand to receive the fullest possible information and to be heard on these subjects by which they are directly concerned, either today as children, either in the next future when they will have grown up.

The association Juristes pour l'enfance is regularly contacted by young people that indicate their wish to get involved, as children.

The 6th periodic review of the situation of the rights of the children in France appeared as the occasion to give a voice to the children and young people that were contacting the association, in order to allow them to get involved on the long term in the defence of the rights of the child.

The branch **Nous, Enfants** of the association Juristes pour l'enfance has thus been created in spring 2020.

- Composition, running and purpose of *Nous, Enfants* 

**Nous, Enfants** is composed of teenagers under 18, wishing to express themselves and to discuss with other children on the social projects in France, in particular on Bioethics, Education, Family and Education to sensitivity/sexuality etc.

Living anywhere in France, they meet on a regular basis for a debate, through the modern communication means (Zoom, teams, WhatsApp etc.).







Upon information of the possibility to present a report to the UN Committee on the rights of the child and to participate to the review session of the French situation in Geneva, they immediately entered into such project and showed their enthusiasm to the idea of letting their voices be heard on subjects that are ordinarily sparsely addressed by young people and to be able to participate in defending children's rights in such fields.

They consider that they must be heard above all upon bioethical issues and upon the draft legislations having important consequences on the world of tomorrow: as a matter of fact, they

are the ones that will have to live in a world that would have been partly defined by the laws adopted today.

For a longer term, the young people of the group wish to widely inform on the rights of the children, give a space for expression to other children and young people, to train themselves in order to participate to the defense of the rights of the children, in particular in all the fields were the interests of the adults seem to predominate and wipe out the best interests of the child.

- Methodology in elaborating the report to the Committee on the rights of the child

The association Juristes pour l'enfance requested two young girls of 22, trainees and undergraduates in law, to accompany the children and young people of **Nous, Enfants** in order to help them preparing the report.

All along spring 2020, the young people debated on the issues that they estimated critical but that are often sparsely taken into accounts by the adults, with a link with the International Convention on the rights of the child. In particular, they deliberated about the draft law on bioethics that is to be debated by the Parliament in July 2020.

They made an inventory of their questionings, their disagreements with the proposed models of society, their points of view.

In order to gather the advice of many children and young people, they decided to elaborate a questionnaire called "Toi, enfant, exprime-toi!" ("You, child, express yourself") in order to consult a large number of children, on an anonymous basis.

They wished to divulgate such questionnaire through their usual mode of communication, i.e. the social networks. Such questionnaire did therefore widely circulate in France. It was fully anonym, in order to allow the young people to express themselves freely. Each young person may only answer once to the questionnaire (recognition of the signing-in mail address).

1507 persons answered to it, including 1412 young people from 10 to 18 ans. The young people that answered such questionnaire have often given a comment on some of their answers.

64,9% of those young people have indicated being already involved for a cause.

The group **Nous, Enfants,** is very satisfied of such number of responses as the questionnaire requested 10 to 15 minutes for answering. It requested therefore a real investment of the young people that went to the end of the questionnaire.

This report is the result of weeks of consideration and debates between the young people of **Nous, Enfants,** linked with the taking into accounts of the results of the questionnaire (the answers to the questionnaire are indicated below in blue).

Each issue is introduced by quotations of the young people of the group *Nous, Enfants*, or of the children and young people consulted through the questionnaire. Some quotations indicate the given name and the age of the young person, some others are anonymous, at the request of their author.

Now, several children/young persons of **Nous, Enfants** are waiting impatiently to be able to go to Geneva, to participate to the debates on the situation of the rights of the child in France, in order to make their voices be heard but also to listen to those of other associations<sup>1</sup>.

<sup>&</sup>lt;sup>1</sup> For the purpose of the translation of this document, it is reminded that the French educational system for teenagers is as follows:

School for children between 11 to 15 is called "collège"

School for children between 15 to 18 is called "lycée"

# 2. Measures of General Application

Application and entry into force (article 42)

"I'm discovering some of the rights I have, as the one of non-discrimination." Marie, 14

"I had never heard of the international Convention on the rights of childhood before (neither in the "lycée", in the "college" nor in my acquaintance). My parents didn't know either before I told them about it." X, 15

"I had never heard of the international Convention on the rights of childhood before, neither did my parents. I'm discovering that I have some rights slightly different from my parents', my teachers' etc. This will certainly help me to speak more freely during my lessons, knowing that I'm "protected", that I've the right to speak freely" Claire, 16

"I didn't know that there was an International Convention for our rights, I just discovered it thanks to the questionnaire" X, 16

The questionnaire "Toi, enfant, exprime-toi!" showed that 31.1 % of the young people who answered did not know such Convention, and that 49.3 % did know a little bit of it. Only 19.6% of the young people did know well the Convention.

We believe that France is not doing what is necessary to make known the principles and the provisions of this Convention, as stated in article 42. Indeed, many young people have never heard of the Convention nor of our rights.

Some were even astonished to have rights and discovered such Convention thanks to the questionnaire "Toi, enfant, exprime-toi!".

It would be good therefore that during some lessons at school (as during the moral and civic education), there were sessions concerning the International Convention on the rights of the child, in order to inform the persons that are the most concerned that they have some rights. But it would be also necessary to inform the parents during the meetings that their children have some rights.

The fact to know that we have rights different from our parents would certainly help us to develop our civic sense as child.

Furthermore, many children told us that they would appreciate if we were more heard, if we had more often the opportunity to speak and if our advice were requested more often.

- ⇒ Could the CRC ask France to better inform the children, for example during the civic education, on the Convention on the rights of the child?
- ⇒ Could the CRC also ask France to do more often specific consultations of the underage people in order to require their advice on some issues? As the young people may of course have an opinion that is to be taken into account.

# 3. Definition of a child (article 1)

Question: "In your opinion, from when is it a child?"

Answer: "When the sperm fertilized the egg."

X,16



"Upon the meeting of the two gametes, it is scientifically proven that there is life. Therefore, what people consider as an embryo is in fact a baby, a living human being, who has therefore rights." X, 14

In the questionnaire "Toi, enfant, exprime-toi!", many children wanted to give their opinion on such issue, which shows that the question of the definition of the child is important for us young people.

The given answers were as follows:

- 84.3 % of the young people consider that a child exists upon conception,
- 9.3 % consider that one may speak of a child only upon the birth,
- 6.4% have given other answers (after the first month, upon viability, when the cardiac activity can be detected, etc.).

The result of such consultation of young people (we all have in France lessons during the secondary school, on human being, conception and development of the embryo then the fetus) is very interesting.

It must raise questions for the adults and in particular the politicians that take decisions regarding life.

We, children, feel that we are directly concerned by this issue of the definition of a child and of the beginning of the human life.

For us, the definition of a child is not fully comprised by French law.

Thus, we think it would be necessary to amend the definition of the child in French law in accordance with the International Convention on the rights of the child.

⇒ Could the CRC ask France to consider all children upon their conception and to better protect the life of the child before his/her birth?

# 4. General Principles

We believe that France does not respect fully and completely the general principles of the Convention:

#### 4.1 Non-discrimination (article 2)

"My external activities (demonstrations for instance) play a big part in the opinion of my teachers on me." X, 15

"As regard to my teachers also, it is sufficient to wear a small religious sign on the neck to be put on file and receive taunting during the course." Amandine, 15

"A child has been beaten up in his school because he was wearing a cross, the mother complained to the director, who was afraid and preferred turn a blind eye to this trouble." Alexis, 16

Non-discrimination is very important for us, particularly at school, were we received many negative returns regarding its respect. In fact, often the teachers do not accept that we may have religious or political opinions. And if we express them, this has a direct repercussion on the way they speak to us or they give marks.

There is also a strong judgement from the teachers on our surroundings, our families. If we don't "fit in the boxes" we are viewed with negativity.

57.7% of the young people interrogated through the questionnaire "Toi, enfant, exprimetoi!" consider that the expression of their opinions could induce some discriminatory conducts against them.

The State should heighten awareness of the teachers on equal treatment of the children despite their positions on religious, social or political matters.

We expect France to make its best efforts to prevent children to suffer from discrimination from their early youth.

Furthermore, we note an ongoing discrimination against disabled children. Thus, the questionnaire evidences that many consider that such children are badly received:

- At school (68.4%)
- Lately in the working world (75%)
- In the overall society (77.6%).

We, children, note that efforts have been made, but that they must be carried on to change the look on the disabled persons, and that more means must be consecrated to the welcoming of such people, with a support of the families, and dedicated resources for schools, for the working world etc.

- ⇒ Could the CRC ask France to better protect the children against discriminations linked to their convictions and opinions, including at school?
- ⇒ Could France support he disabled children through the implementation of benevolent welcoming policies upon the notification of the handicap, by supporting the families with a disabled child, by allocating means for the welcoming of such children at school and later on in the working world?

#### 4.2 The best interests of the child (article 3)

"Often they are adults who defend their rights, which is very well, but, to my opinion, they don't seek enough the words of the children, to listen to what children have to say" X, 17

"The "best interests of the child" have disappeared and are replaced by the interests of the parents" Marie, 14

"One of my friends has parents that will divorce. As she doesn't go on well with her mother for many reasons, she would like to live with her father. But as she is younger than 16, she cannot decide, and the mother's position will predominate the father's one."

Amandine, 15

"The child has some rights, the adults have some too, but they are more able to forget the children's one that their own" X, 17

"My father listens to me a lot but not at all my mother (psychological violence). My parents divorced and my will has not been listened to. My care has been granted to my mother even if I didn't want it".

A girl, 16

"Not at all. My parents are divorcing, and I've not been listened to for 4 years. With many appraisals showing he his a narcissistic perverse, an attempt of suicide, if my father says my mother manipulates me it is sufficient to send me in foster. He beats me and this is not all, there are testimonies evidencing it is not his first fault. He controls me and times my outings but when I'm in his home he is never there. He requests me because my mother pays him an alimony around three times the minimum wages, according to my former educator. The law does not protect us." X, 16

"Surrogacy is inhumane. They buy children like commodities and use the woman like goods useful only to bear"
A girl, 15

"Stop thinking only to the well-being of the parents, the children are never allowed to give their advice".

X. 17

"Take into account the advice of the child, even if he/she is underage, the child has sometimes many things to say, feels many things and has the right to express his/herself and I think it is important to listen to what a child thinks or has to say to us." X. 17

The best interests of the child are often badly protected.

Through the accounts given via the questionnaire "Toi, enfant, exprime-toi!", some young people were able to say that their interests have been set aside to the benefit of the adults' ones. Even though regarding issues having impact on their life, it should have been the contrary.

Here is how we estimate that, in three essential domains, the best interests of the child should be more considered:

#### Separation of the parents

During the divorces or separations of the parents, the best interests of the children are not sufficiently considered event though they are the primary affected!

According to 85.8 % of the young people who answered the questionnaire, the interests of the child are not always considered in the divorce judgements nor when the parents split up.

The placements in foster homes by the Social assistance to childhood

The best interests of the child are not protected enough in the frame of the placements for reasons of lack of means allocated by the State to the social assistance to childhood.

The consequence of this lack of means, is a lack of foster families, the choice to keep foster families who do not care well of the children, the lack of qualified personal, especially in the foster homes, the insufficient measures to accompany the families and that could allow the children to stay with their parents.

The foster children alert on the malfunctioning that they suffer.

Third party-assisted reproductive technology and Surrogacy

This issue of ART and surrogacy is very important for us young people. Our voice is not considered, even though we are the ones who will live tomorrow in a society that would have been turned upside down by the choices made today by adults.

Some witnessed via the questionnaire that the ART was presented to them at school as a way of procreation in the 4<sup>th</sup> year (for 13 years old children) even if we are 87.9% to estimate that the medical institution should prioritize the fight against the causes of infertility.

Furthermore, in such issues of ART and surrogacy, it is the interest of the adults that is taken into account, and not the one of the children.

We wish to speak on the issue of third party-assisted reproductive technology. The findings of the questionnaire "*Toi, enfant, exprime-toi*!" show that we estimate:

- at 84.8% that the third party-ART does not respect the rights of the children to know their parents;
- at 81.4% that the law should allow to any child, regardless his/her age, to know the identity of his/her donor:
- at 85.5% that it is important to have a father;
- at 86.8% that it is unjust that some children are deliberately deprived of a father;
- at 87.3% that the child should have the possibility to establish a filiation link with his/her biological father;
- at 91.6% that we would not want to be the result of a selection of gametes or embryos on a set of criteria determined by adults (sex, color of the eyes, size, weight, color of the skin)

Surprisingly, often, it is the adults who want to have a child at any cost who answer to the question for example "is it important to have a father" and only their answer is listened to and not the one of all children living today without father and who testify of the lack it is in their life. This evidences that it is not the interests of the child that are listened to but truly the adults' ones.

We also would like to make our voices listened to regarding the surrogacy and the questionnaire shows that we think:

- at 84.9% that the surrogacy serves only the adults' interest;
- at 83.3% that the surrogacy is a trade of children.

We are against surrogacy at the rate of 84.3% and we think at 74.4% that France should initiate an international action for the universal prohibition of surrogacy.

We are aware that behind the growing of ART and surrogacy there are mainly business issue and that money justifies many things!

We want a world in which the best interest of the child is not ruled out by laws intended to serve adults and financial interests of some.

- ⇒ Could France take measures in order to allow children to have their interests enforced in the decisions concerning them, including in the cases of parents' separation?
- ⇒ Could France grant to children born from third party-ART the possibility to know their biological parents and to establish a filiation link with them?
- ⇒ Could France clearly condemn surrogacy and initiate and action to abolish surrogacy in the whole world?

#### 4.3 Right to life, survival, and development (article 6)

"I've got a friend who conducted several times his girlfriend to abortion, with the assistance of a student supervisor of the school. The way such person talked about that showed that for her it was an insignificant operation. She helped a child to kill another. This young man changed and is now ashamed of what he did." Amandine, 15

"For me, a human being, it is as soon as there is life. Therefore, abortion is a murder on a human being that should not be authorised by the State."

X, 15

"For me, abortion is a torture for the unborn child, who is already a human being at 6 weeks of pregnancy. France authorises the abortion until 12 weeks of pregnancy and even until full term (9 months) for a medical abortion. A disabled child may be aborted simply because he will not become a "normal" child."

Martin, 16

"One doesn't speak enough of the anonym deliveries that allow the child to survive and to join a family that can welcome him/her, and let time to the mother and the father to take their decision if they are not certain to be able to care for and educated the child."

A 16 years old girl

"I've heard of a case in which a woman took a legal action because she discovered that, during her abortion, her child was old enough to suffer, which she was never told. I'm very shocked to know that, besides being aborted, the child suffers." X, 16

> "I believe that this poster (in a school manual) intends to tell us that there is only that to do, that we may not do anything else. If, for example, I say that there are other ways that could prevent an abortion, I would be fingered and they would say I'm against, and this would be frowned." Alexis, 16 years une growers. DOGG L'interruption volontaire de grossesse (IVG) Je souhaite interrompre ma grossesse Je prends rendez-vous avec un médecin ou une sage-femme sans tarder. re étape La consultation d'information 2º étape Le recueil du consentement · Je décide de la méthode d'intervention en • Je rencontre le médecin ou la sage-femme qui me fonction de ma situation personnelle et des remet de la documentation et répond à mes disponibilités des centres médicaux. questions. • Je confirme par écrit ma demande d'IVG. · Une consultation psychosociale est obligatoire · Si le médecin ne pratique pas l'IVG, il me pour les mineures, proposée pour les majeures. donne une liste de spécialistes et me remet une • Pour connaître mes droits : 0 800 08 11 11 attestation prouvant que je me suis conformée aux étapes obligatoires. L'intervention médicale Jusqu'à la fin de la Jusqu'à la fin de la 12e semaine de grossesse 7e semaine de grossesse Méthode médicamenteuse Méthode instrumentale (réalisée par un médecin) • Lors de la première consultation, je prends le · Si l'anesthésie générale est préconisée, je premier médicament qui interrompt la grossesse. prends rendez-vous pour une consultation • Dans un délai de 36 h à 48 h : je prends le deuxième pré-anesthésique. médicament qui provoquera l'avortement. · L'intervention dure une dizaine de minutes et Saignements possibles jusqu'à 10 jours après l'hospitalisation quelques heures. l'avortement. > Réalisée en établissement ou en centre de santé. > Réalisée en établissement de santé ou à domicile.

We, young people, are shocked by the important number of abortions each year in France. As Simone Veil used to say, we believe that the abortion must remain an exception.

Yet, in secondary school, abortion is presented as the normal conclusion of an unexpected pregnancy or of the detection of a handicap of the fetus. No alternate solution is evoked. If a girl becomes pregnant, she will be highly encouraged to abort by external persons, as the school

nurses, even though these persons are external to her life and should not tell her what she has to do.

Abortion is trivialised and its dramatic part is always hidden. They do never speak of the consequences for the women who have recourse to it.

Today, in France, there is a true unease amongst us young people regarding the issue of abortion. At 87.7% we consider that the human being is a child before his/her birth (at 84.3% upon his/her conception and at 3.4% a bit later). Abortion is therefore an act than does not concern only the woman, but really two persons: the woman and the child that she is bearing. One may therefore not consider the abortion as a detail. It follows us all our lives.

We, young people, want that the abortion was recognised by the adults as a sensitive issue that require a true clearness and objectivity in its presentation and on its consequences.

In addition, we also are wondering upon the place taken by the ART, even though the ART generates specific risks for the child as for the parents. Furthermore, the fact to be able to choose some characteristics of the child, as the colour of the eyes, of the hair, the gender ... as it is in some countries, constitutes a scary perspective for many young people who indicated in the questionnaire that they would not have liked to have been selected this way. In their commentaries, the young people expressed the fact that it was eugenic and that it was a rejection of the diversity of mankind, of these diversities that make our wealth

- .
- ⇒ Could France implement some objective information campaign above the issue of abortion?
- ⇒ Could the CRC ask France to implement a support system for the pregnant young girls or young women in order for them to have the true choice to keep their child if they so wish instead of abort?
- ⇒ Could France put in place some complete and objective information on the ART, its risks and its potential drifting?

# 5. Freedom and civil rights

#### 5.1 Registration of the birth, name and nationality (article 7)

"I know a boy who has not seen his father since many long years as his father rejected him. Because of this lack, he soon raves, as he had no male point of reference." Amandine, 15

> "My father died when I was 8 years old... YES it will never be said enough, a father IS important, I miss mine each day for 7 years." A girl 15

"Yes, it's very important to have a father. I lived without my father and only with my mother, so I long suffered from a lack, two mothers may never replace a mother and a father, it's a natural and essential complementarity."

A girl, 14

"Laws on the ART do not respect the right of the child, he who has the right to live and to know his/her parents. France does not make its best efforts for the child to know them as it would be sufficient to lift the anonymity for him/her to be able to know them. But this is never done." Alexis, 16

"I'm fatherless and so I understand the grief of the children who cannot know who their father is. Mine died when I was 3 years old." A girl, 17

"And the Stromae's song, has it been done for nothing?" A boy, 14

"Without father, there is no family." A boy, 14

We believe that the right to know his/her own parents upon birth is not sufficiently respected by France.

Many young people are wondering about the draft legislation on ART currently in debate, that is intended to legalise ART for single women or women-women couples, and that will therefore encourage women to delete the father in their children's life.

As stated above in this report, 84.8% of the young people who answered the questionnaire think that the third party-ART doesn't respect the right of each child to know his/her parents and more than 81% of the young people think that the child should know the identity of his/her donor.

For 85.5% of the young people, a father has an important role to play in a family. And lastly for 87.3%, if the child were to have access to the identity of the donor, he should be authorised to establish a filiation link to his/her biological father.

⇒ Could France consider the opinion of the young people born from donors to know their biological parent and to be able to have their filiation recognized?

# 5.2 Freedom of expression and freedom to seek, receive and impart information (article 13)



"The teachers instil a certain "ideology" in our minds, and in the written (or oral) works they expect that we retell everything, thoughtlessly." Claire, 16

Question: "Do you feel free to express your opinions without fear of repercussions?"

Answer: "Never, on the contrary we are being assaulted... in a country that advocate yet freedom of speech but in which having a view opposite to the "trend" is despised and insulted." A 16 years old boy

"We cannot debate with our teachers as they are the ones who have power on our marks and therefore in fact on our future." Martin, 16

> "I'm used to self-censorship, after some experiences where I said what I thought, and the mark really fall down." Amandine, 15

"I think that we are not enough allowed to express ourselves (not enough debates, interactions). Furthermore, because we are young, some adults do not bother to listen to us and lord us over."

X, 15 years

"During a debate on ART at school, we were two to have a negative opinion. The teacher also told us that she was in favour of it and turned most part of the other pupils against us. It put us in great despair, and it was very disruptive to keep our position. The lesson ended very badly. I think that the teachers should not show their opinion and should stay neutral."

A girl, 17

"I've got a friend at the end of the intervention on the emotional life who said she disagreed with abortion, the speakers were close to harass her to make her change her advice, it became very uncomfortable." X, 14 Freedom of expression is very important to us and we state that most of the children may not freely say what they think at school.

In addition, we feel that some curriculum of the National Education are not very objective and do not respect the neutrality obligation in the education and dissemination of knowledge. We are not proposed to develop our critical sense.

According to our questionnaire, 75.8% of the young people do not feel free or not always free to express their opinion at school as they are afraid of the consequences that it could induce on the marks, or afraid of mockeries from teachers as from pupils.

But furthermore, in the books or curriculum of the National Education, we note that the thought is going only a single way, and we are prohibited to say that we disagree.

We would appreciate that in our lessons and at school different points of view were proposed to the pupils, so that we could form our own opinion without influence. Indeed, we want our opinions to be respected and we want to be able to give our opinion without fear or the repercussions at school or elsewhere.

⇒ Could the CRC ask France to actually protect the young people's freedom of expression and opinion, including at school, so as to allow young people to express themselves freely and without fear of negative returns or disguised sanctions?

# 5.3 Freedom of thought, conscience and religion (article 14)



Question: "Are you free to express your opinion on religion at school?" Answer: "Last time I did it, I have been blocked on the social networks and they spat in my back ..."

A 15 years old girl

Answer: "If we speak about it, the risk of harassment from other pupils is very important"
A 15 years old girl

"Some religions are heavily criticised by some teachers and we are not given the possibility to give our opinion on the matter, and so some pupils may think that they are attacked in their belief and without having the right to contest because it is a curriculum of the National Education."

Mathilde, 17

"In history geography, we may face manuals in which are exposed a certain way to think history, certain schools of thought or certain institutions and the teacher enact what is right to think. We are not allowed to think by ourselves." Claire, 16

"I think that there is a massive cramming since the "collège" in all bioethics questions, and that they give the pupils only one view, without letting them choose nor think to let their opinion mature."

X, 17

We noted that our teachers criticise a lot some religions and that we may not answer to such critics. It is the same for the way of thinking certain parts of history for example or bioethical issues.

Our questionnaire « *Toi, enfant, exprime-toi*! » brings to the fore that **57.2% of the interviewed** young people do not feel always, and some time not at all, to express their opinion on religion without fear of being victims of mockeries, offensive remarks or exclusions.

Along with freedom of expression, we would like our teachers not to give their judgement on religion, which is part of the private life.

Or, during the lessons, that they were not to impose their ideas and stay open to discussion, when the pupil has a different view and that there was no implication on his/her marks.

- ⇒ Could France ensure freedom of expression for the pupils, as it is not respected today?
- ⇒ Could France propose to pupils more objective lessons in history, or also in sciences of life and Earth when bioethical issues are discussed?
- 5.4 Protection of privacy, reputation, protection of the image (article 16)



"We have already been asked for the class councils to fill questionnaires whose questions were really focused on our private life (relation with the family, what was done out of school), some questions were of no use for the recipients of the questionnaire."

Claire, 16

"At "collège", the school nurse did not at all respect the private life and was always asking personal questions that were disturbing me (did we have a boyfriend, did we already have sex, how did we feel in the family ...) that is why I never went to the nurse's office."

Jeanne, 15

"I do not think it is the role of the national education and the school in general to give such a consistent opinion and even recommendation on such personal matters in the emotional and sexual life of young people". X,16 "In the CE2 level (8 – 9 years) we had a lesson on "sexual education" with information that were too explicit and should not be heard by children that are 8 years old."

X, 16

"I would like to be authorised to refuse to attend to these interventions in secondary school. Especially when they are made by associations and even not by our teachers, who at least, know us."

A 16 years old girl

"I was very uneasy during the sexual education course where the teacher put on a condom on a (false) penis in front of us." X, 15

"I was shocked by the sexual education course and when I told it my teacher laughed at me in front of the whole classroom" X, 17

We have also noted that at school there were many interferences in our private life, especially in the sexuality field. In particular, coming from the school doctors or nurses, but overall, from the external associations intervening in the "lycées".

Through our questionnaire, many young people have been able to express that they had been shocked or even disgusted by the interventions on sexuality. An important number of us do not feel at ease with the way some matters are approached inside the National Education and we consider that as a violation of our private life, from adults that have furthermore no familial nor emotional link with us. It is not the adults' role to tell us about pleasure and sexual practices in details. They do not speak of love but only of dangers, masturbation, and of every possible practices. It is very intrusive and negative.

We challenge the fact that some information is given in front of mixed girls and boys. At the age of "collège", we would like to have separated studies, boys-girls.

Furthermore, 74.7 % of the young people expressed via our questionnaire that these lessons were sparsely or not at all useful for them and that these kinds of matter were to be learned in their familial circle. 42.6% of the interviewed young people were shocked by interventions of the Family planning Association or other similar speakers and 59% estimated that they could not or sparsely express their disagreement.

And the fact to learn it at school and, for some, at a very young age (primary school), disturbed them more than it brought them something.

⇒ Could France undertake that, in its educational system, there won't be any interference in the private life of young people, particularly in their emotional and sexual life, through lessons and sessions?

- ⇒ Could the CRC require from France a better implementation of the principle of protection of privacy in the structures accommodating children, like schools?
- ⇒ Could France give to young people access to information as objective as possible and adapted to their public?
- 5.5 Access to information and protection from material detrimental to the child's well-being (art.17)

"In every secondary schools, there are big posters against the harassment, the fact not to eat a balance diet, but none to inform against the dangers of pornography."

Constance, 17

"The State does not do all is possible to prevent children to be confronted with pornography, by not removing pornographic advertisements, videos nor even movies through the increase of the viewing limit age".

Marie, 14

"I personally know some young people who have been impacted by pornography. It destroyed them inside but also in their relationship with others and they do not manage any more to work."

Amandine, 15

"I attended many round-tables on addictions and there has never been any discussion on the dangers of pornography."

Martin, 17

"The access to pornographic movies is not protected enough, I'm myself addict to it unfortunately. It is a real drug that completely upset the brain. One must heighten awareness at school as much as for the tobacco, from the 6<sup>th</sup> year (11 to 12 years old) after it is too late."

A 16 years old boy

"Woman is presented as a sexual product in many pictures we see in everyday life" A 18 years old girl "The advertisements, particularly for the series "Sex Education" (series for people older than 16) indecent and shocking for children, may rush in their intimacy as they touch to delicate and non-trivial matters, but also the movie trailers that turn with shocking or violent pictures."

ML, 18

"I went to a show recommended for people older than 14 years, called "The future is female" whose trailer presented images of a sexual intercourse and many pornographic allusions (inflating dolls...) that are very shocking for underage people and are not at all cultural. It may really shock young teenager girls and heighten their disease concerning the transformation of their bodies." X, 16

We noted an absence of prevention regarding the issue of pornography at school, even though a large majority of us is confronted to the risk of pornography more and more early.

The media say they respect the prevention by putting an indication of an age limit but less than 50% of the young people take care of the age limit when watching a movie on TV. We, young people, are victim of the exposure to pornography: 75.9% of the young people interviewed in our questionnaire said that they sometime see unwilling pornographic images or adds.

The use of the new media increases such phenomenon. Indeed, with the containment period, we all had class groups. And, for example, on the Snapchat groups, some pupils sent pornographic pictures, that where thus imposed to all the class.

Beyond pornography itself, we find embarrassing and painful that today the main part of the movies contains sex scenes. In their commentaries of the questionnaire, many young people said they felt this "embarrassing, painful, disturbing, etc." More than 53% of the young people brought to light that they had been disturbed by the large amount of adds around the series "Sex Education" is the metro, the street or on the internet. Such series is prohibited to be seen by less than 16 years old, nevertheless its explicit advertisement was disseminated everywhere.

- ⇒ How could France actually protect young people against pornography?
- ⇒ Could France launch an awareness campaign against the dangers of pornography?
- ⇒ Could France protect children and teenagers against the omnipresent trivialization of the sex scenes in movies and series?

# 6. Child abuse (article 19)



#### 6.1 Violence suffered by the children

"Violence are too much trivialised, and the witnesses turn a deaf ear and do not help the children who are yet in despair" X, 16 years

The fight against the violence suffered by the children is not enough efficient.

One hears a lot about violence inside the families, but very few about violence suffered outside the family, in particular violence at school, in groups of young people etc.

There is also much violence on the social networks.

The issue of violence between underage people, including sexual, is sparsely addressed and there are not enough measures for prevention and protection. In particular, they restrict the talk to the issue of consent, even though it is often illusory, and the victims do not have the possibility to say no.

⇒ How could France protect the children against the violence committed around the school, and in particular what measures could France implement to fight against the sexual violence between underage people?

#### 6.2 Harassment

"Today, the children are not left out nor mocked but harassed when they do not have the same opinion than the others, and this at every age. The pupils must get information, everyone may think what he will, even if it doesn't please the neighbours. I have been harassed at school because of my opinions and my religion, nobody there helped me to get back on my feet, one must know that the moral harassment is also very violent and carries along some complications (school phobia, drop out of school, lack in self-confidence...)."

A 16 years old girl

At school, the moral harassment increased a lot. This may have real negative impacts on young people, that may lead to suicide for some of them.

Yet, no truly effective measure is taken. In most cases, the harassed child or young person must change school because of the impunity of the harasser. Sometimes it is not sufficient, and the harassment goes on in the new school, which destroys the young victim.

⇒ Could CRC require from France to implement means at school and in places accommodating children, to protect the children victim from harassment?

#### 6.3 Violation of the children intimacy at school

"In the 4th level (13 to 14 years), in Spanish lesson, the teacher showed us a movie that began with a sex scene, and there were many references to it later. I was shocked and with some friends we went in the back of the room and we talked so we wouldn't have to watch the movie and our teacher didn't do anything."

Jeanne, 15

"During a German lesson, the teacher showed us a movie in which there were some scenes of sexual intercourses and she humiliated the pupils who demanded if she could skip these scenes"

16 years old boy

"I had to read a book in the 4th level (13 to 14 years), in which a whole part described a sexual intercourse between the two main characters." Amandine, 15

"A sexual intercourse was very detailed in an English book, with a questionnaire on it. I spoke about it at the end of the lesson to my teacher and she shout in from of the rest of the class, that as I was 15 years old, I had to learn all of that, that it was ridiculous and that I was no more a baby."

X, 15

Some teachers impose us works studied in class that are shocking and hurt our sensitiveness (violence, crude situations...). We are not allowed to be critical about these scenes that are hurting us. Indeed, most of the teachers do not answer such criticism or mock us, and for some in front of the entire class.

When the teachers see that the pupils are uneasy, they do nothing to protect them: according to 53.3% of the young people having answered to our questionnaire, it was not possible to express their disagreement regarding the lessons, the movies or speeches that disturbed them and have been scheduled by their school.

⇒ Could France prohibit, in the implementation of its curriculum, the exposure of children to sexual or violent scenes?

# 7. Family environnement and replacement protection

7.1 Common responsibilities of the parents, assistance to parents and provision of children's care services (article 18)

"In the event of divorce, the parents live often far away from each other, and the child spend most of his/her time with one of his/her two parents. Thus, only one of the two parents takes care of the child and ensure his/her development. And most of the times he/she feels this absence as a loss" Marie, 14

"One speaks too much of the adults' desires and not enough of the fundamental needs of the child. Which adult would accept to change home one week over 2 or every weekend because he/she divorced even though it is HE/SHE who choose to divorce? Teenagers have a crying need of justice."

A young person

"When two parents divorce, the advice of the child should be require as he/she is the most impacted: parents have to assume!!!"

A young person

"Everyone should have the right to have a father and a mother." A young person

"For most of the children that go to foster families, in most cases, they want to stay with their true parents, they are mistreated in the foster families, as my neighbours, and the State does nothing".

A 16 years old girl

"The undue placements of the Social Assistance to Childhood and of some foster houses, the lack of means and of qualified personal" A 16 years old boy in foster family Too many children and young people suffer from the separation of their parents. The imposed change of home upsets them. 31.2% of the young people answering to the questionnaire would like it to be the parents who change home one week over two and not the children who did not take the decision of the separation, but suffer from the consequences.

Other children suffer from the incapacity of their parents to take care of them, which leads them to be sent to foster families or home.

Such children suffer from a loss that will accompany them all their life.

To prevent such suffering, political programmes should be proposed to support the families to support the couples to go through the hardship of life, to provide trainings to parents to help them in their role.

We consider that a primary policy of France should be the support to families. We the young people, we need our parents and we feel well with them.

83.6% of the young people who answered the questionnaire said they feel listened to by their parents.

71.2% said they could talk with them of a difficulty they had (sexual assault, addiction to pornography, problems at school etc.).

- ⇒ Could France promote an incentive policy for the foundation of a steady family, best environment for the children to grow up in security and peace?
- ⇒ Could France better control the placements of children in foster families or homes?
- Could France support the parents in their day-to-day life with their children?

#### 7.2 National and international adoption (article 21)

"Adoption of a child by a same sex couple or a bachelor does not respect the interests of the child, there is a lack: a child needs his/her mother, in particular for affection; and a child also needs a father for education, firmness etc." Claire, 16

"I do not think that adoption of a child by a same sex couple or by a bachelor respects the interest of the child as this later needs a man and a woman to grow up. I think that the father and the mother bring something in the child's education that the other doesn't have."

Amandine, 15

The best interests of the child must be superior and supersede in all decisions in his/her respect. Thus, adoption allows the child to have a home. But we note more and more that the interest of the people who want a child is put forward, often to the detriment of the child's one.

⇒ Could France refocus adoption on the child's needs to have a father and a mother instead of seeking to satisfy the adults' desire by way of adoption?

### 8. Handicap, health, and basic well-being



8.1 Survival and development and disabled children (article 6 point 2 and article 23)

"I think that the disabled children are not enough supported in their learnings and their developments. Furthermore, when an abnormality is found with a developing embryo, the medical personal encourages not to keep the child." Claire, 16

"A medical mistake was done with a "test" to detect Down syndrome: the test was positive for the future child. The parents did refuse the abortion of the child despite the pressure of the medical personal. Eventually, the child was born in good health and without any indication of Down syndrome. If the parents had given in under the pressure of the medical personal, such child would never have been born because of a mere medical mistake." Claire. 16

"I know someone in the "lycée" that is disabled and nobody helps him: neither when he has difficulties in class nor during the break" Marie, 15

"My sister is physiotherapist and she made a training with very young children. She sees that the family life is more complicated and that the handicap of the child is more expensive. She notes also that the State doesn't support enough (material and financial supports). Therefore, the social integration of such children is not secured, due to a lack of equality."

Amandine, 15

"The fact to seek to detect abnormality in the embryo does not respect the child's rights. Abnormality, is the name that is given to a disabled child, that is a human being above all" Amandine, 15

We find that today the State, that promotes non-discrimination and wants to support integration of the disabled persons, doesn't protect enough such persons as it encourages their suppression with a detection that is followed very often by a suppression of the child in the event of handicap. It doesn't seek to accompany the parents and to propose them every existing things for the development of disabled persons.

Young people consider that the reception upon pregnancy of a disabled child is often bad (60.4%). They note further that the disabled child is badly supported at school (68.4%), that, while growing, he/she will meet difficulties in the working world (75%) and in the overall society (77.6%).

55,3% of the young people having in their acquaintance a person with a mental or physical handicap think that such persons are not sufficiently supported by the school and the State.

- ⇒ Could France implement campaigns on the attitudes to have in order not to hurt disabled people, to facilitate their life, for them not to be isolated and ostracised?
- ⇒ Could France encourage to have a positive view on the disabled persons, so that they had, like the others, the right to live?
- ⇒ Could France support better the parents confronted to the handicap of their child?
- 8.2 Measures intending to protect children against the use of substances (article 33)

"There should be a higher awareness against drug (including cigarette) that is devastating amongst the young people." X,16

"I see too often young people coming at school while they are drunk or addict" ML, 18

There are still problems to solve regarding the consequences of the drug and alcoholism in the youth of France.

Surely, France put in place preventive campaigns on such dangers for the young people inside the schools.

But it is not sufficient.

□ Could the CRC ask France to fight on a determined and efficient manner against the of drug at school?

# 9. Special measures for childhood protection

#### Sale of, traffic in and abduction (article 35)

"I consider surrogacy as a sale, traffic in children as, on the request of a couple or a bachelor, one constitutes an embryo who shall be transferred in the womb of a carrying mother who shall be paid. If nobody reacts and opposes to the surrogacy, it will become a real business of human beings ..."

X, 16

"France through the bioethical reforms of these last years, made of the child an object and product that can be "ordered", "produced" in laboratories (ART) and bought (surrogacy) by couples who make a property right of it. With the ART already effective in France and the surrogacy that is in the plans of the government, the child is at the core of a global business"

"I consider surrogacy as a sale. We must ensure that it remains illegal in France, but we should also prohibit French people to

ML, 18

C. 16

perform a surrogacy abroad."

"On October 4th, 2019, the supreme court ("Court of Cassation") recognized the filiation of children born abroad trough surrogacy. As such practice is illegal in France, to recognize the children born from it corresponds to encourage such practice. Yet, it leads a woman to transfer a child for payment. The child is therefore the object of a traffic between adults (...).

We children, we would have no more importance than a beautiful Bengali tiger that would have been brought from Thailand for its European owner.

If one can transfer a child at the age of one month, what would prevent his/her parents to do so at 6, 8 or 12 years? As a child, I feel supportive of those children that are objects of traffic today but also of classification as they are sold at prices more or less expensive depending on their origin. The fact that such practice is encouraged in my country seems to me in contradiction with our rights defended by your organization!"

M. 17

"I consider surrogacy as a sale as first there are the administrative fees, then the applicant parents pay the pregnancy to later recover the child, if they "validated" him/her. Thus the pregnancy looks like a delivery even though it is in fact 9 months of prenatal essential life for the child who forges a link with his/her biological mother (or at last the woman who bears him/her if it is not her who gave the egg, but then, who is the mother?). The child is wrenched from his/her surrogate mother, as if her body was just a production plant."

X, 17

Surrogacy is not yet legalised in France, nevertheless, there are French couples who have recourse to such surrogacy.

We hear from time to time about surrogacy cases in the newspapers and France does nothing to prevent this trade of children. Yet it seems to us contrary to French law and to the International convention on the rights of the child that gives to every child the rights to know his/her parents.

We oppose to its legalisation. Indeed, we do not wish the body of the woman to become a manufacturing tool nor the child to be considered as a commodity that can be sold or exchange.

Young people between 10 to 18 oppose largely to surrogacy. Thus, in the questionnaire, to the question: "To legalise surrogacy in France, are you?" 85% of the young people have answered that they opposed it.

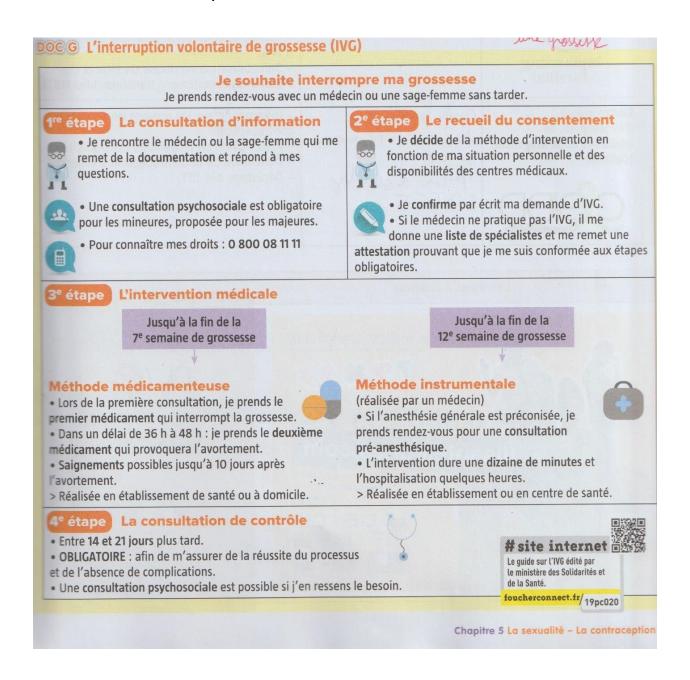
Furthermore, for more than 83.3% of the young people, surrogacy is a trade of children in which the child has no say, but also the trade of woman's womb.

We expect France to pronounce firmly over this practice that appears to us as the most contrary to the Human Rights.

- ⇒ Could the CRC ask France to take firm measures regarding the surrogacy? And to punish people who have recourse to it, bypassing French law?
- ⇒ Why does France allow famous French people to boast on TV to have broken the law by performing surrogacies abroad?

### Schedule

Schedule 1: Manual of Prevention, Health, Environment), CAP, ed. Foucher 2019, p. 41



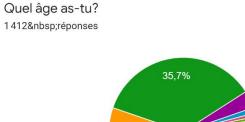
# Schedule 2: Manual of Prevention, Health, Environment, CAP, ed. Foucher 2019, p. 40

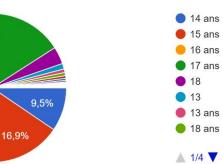


#### Schedule 3: Manual of Sciences of life and Earth

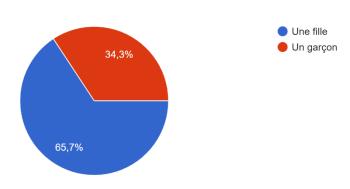


# Schedule 4: On line questionnaire of Nous, Enfants

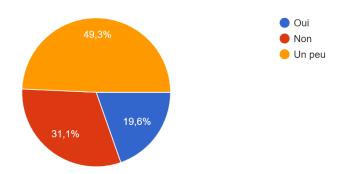




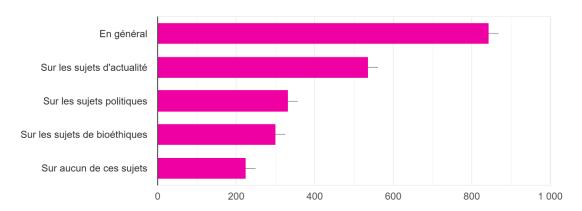
Es-tu? 1412 réponses



Connais-tu la Convention Internationale des droits de l'enfant? 1412 réponses



#### Estimes-tu que tu disposes d'une information adaptée à ton âge? 1412 réponses



#### Right to life, Filiation, Best interests of the child:

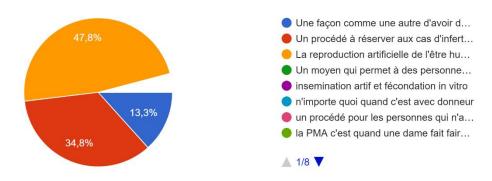
# Regarde les photos. Pour toi, à partir de quand est-ce un enfant ? 1412 réponses



## **Assisted Reproductive Technology (in French: PMA)**

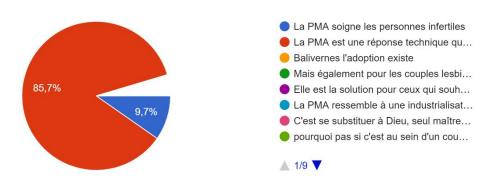
#### Selon toi, la PMA, c'est:

1412 réponses



La PMA est présentée comme une réponse médicale à l'infertilité. Pour toi ?





Penses-tu que la médecine doit donner la priorité :



## Third Party-ART (in French: PMA avec donneur)

Penses-tu que la PMA avec donneur respecte le droit des enfants à connaître leurs parents prévu par la Convention ?

1412 réponses



Penses-tu que la loi devrait permettre à l'enfant, quel que soit son âge, de connaître l'identité de son donneur ?

1412 réponses



Pour toi, est-ce important d'avoir un père ?

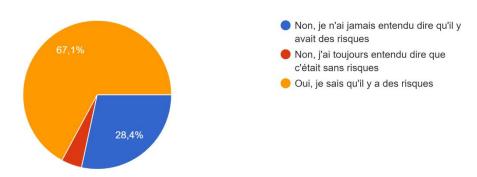


Penses-tu qu'il est juste que certains enfants soient délibérément privés de leur père ? 1412 réponses



Sais-tu si la PMA présente des risques ?





Si l'enfant avait accès à l'identité du donneur, devrait-on lui laisser la possibilité d'établir un lien de filiation avec son père biologique ?

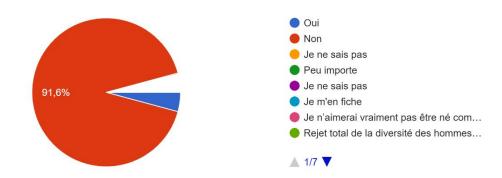


## **Questions around ART**

Penses-tu que cela change quelque chose pour l'enfant ? 1412 réponses



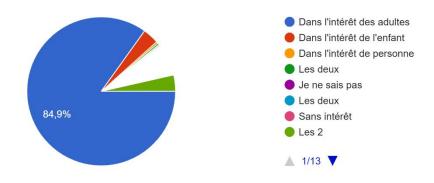
Aimerais-tu avoir été sélectionné selon des critères précis ? 1412 réponses



# Surrogacy (in French: GPA)

Selon toi, la GPA, c'est:

1412 réponses



#### Pour toi, la GPA est le commerce d'un enfant ?

1412 réponses

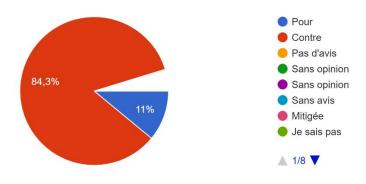


Attends-tu de la France qu'elle engage une action internationale en vue de l'abolition universelle de la GPA ?

1412 réponses



### Légaliser la GPA en France, tu es :



## Freedom of expression, religion, opinion, conscience:

Te sens-tu libre d'exprimer tes opinions sans crainte de répercussions ? 1412 réponses



Peux-tu évoquer librement ton point de vue sur la religion dans le cadre scolaire sans crainte de moqueries, commentaires désobligeants ou exclusion ?

1412 réponses

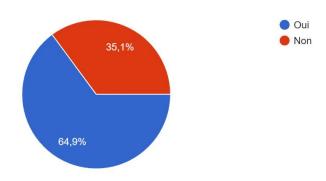


Lors d'un contrôle, une question est posée a des élèves: "La peine de mort est-t'elle interdite en France ?" Un élève répond ainsi:" En France, il n'y a ...ur lui met un 0 à la question. Cela te choque t-il ? 1412 réponses

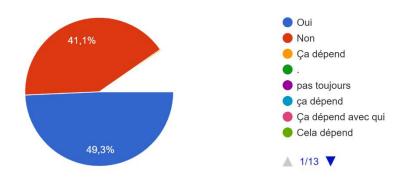


# T'es tu déjà engagé(e) pour une cause ?

1412 réponses



### Si oui, peux-tu en discuter librement à l'école ? 1079 réponses



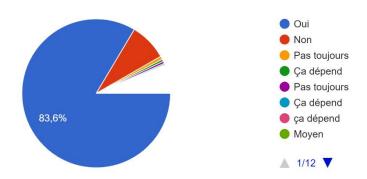
# Relationship child / family:

Tu vis avec:



### Te sens-tu écouté(e) par tes parents ?

1412 réponses

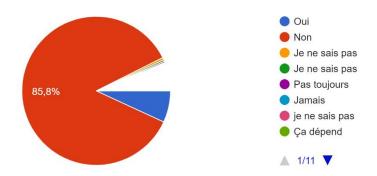


Peux-tu faire part à tes parents d'une difficulté rencontrée (agression sexuelle, addiction à la pornographie, problèmes à l'école comme le rackett) ?

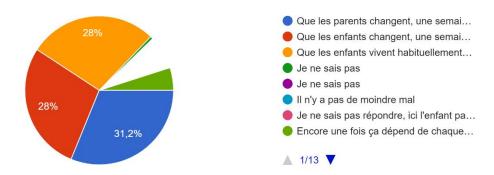
1412 réponses



Selon toi, l'intérêt de l'enfant est-il toujours pris en compte lors des divorces ? 1412 réponses

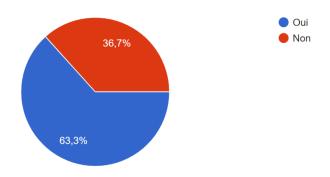


En cas de divorce, le moindre mal pour les enfants est selon toi : 1341 réponses

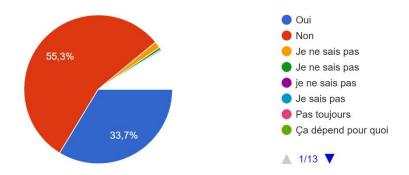


## **Handicap:**

As-tu dans ton entourage ou dans ta classe une personne qui a un handicap moteur ou mental ? 1412 réponses

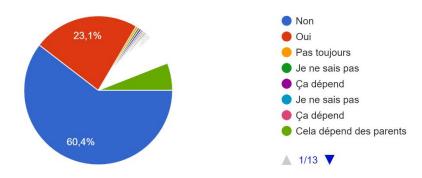


Selon toi, est-ce que cette personne est suffisamment accompagnée par l'école et l'Etat ? 1122 réponses

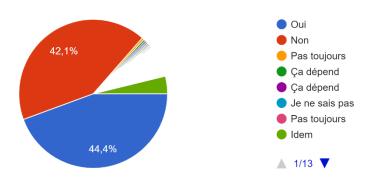


## Do you think that the disabled person is well received:

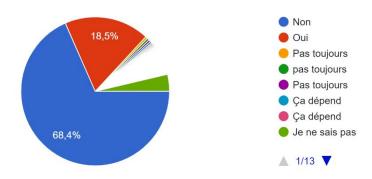
A l'annonce du handicap pendant la grossesse ? 1412 réponses



A la naissance ? 1412 réponses

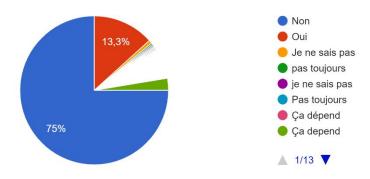


A l'école ? 1412 réponses



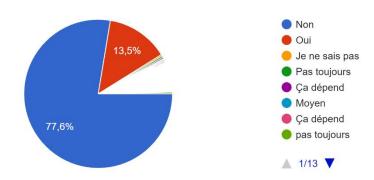
#### Dans le monde du travail?

1412 réponses



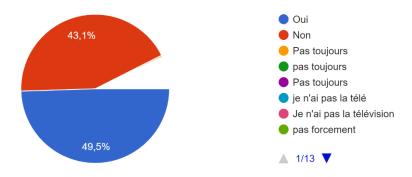
### Dans la société en général?

1412 réponses

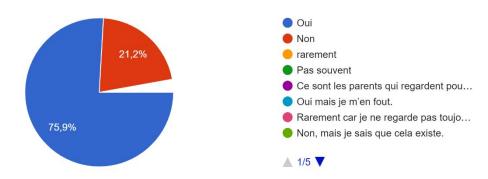


## **Child abuse**

Lorsque tu regardes un film à la télévision, fais-tu attention à la limite d'âge qui est inscrite en bas à droite de l'écran ?



Est-ce que, parfois, tu vois sans le vouloir des images, pubs, à connotation pornographique ? 1412 réponses



Par exemple: Est-ce que tu trouves qu'il y a eu trop de pubs pour le film "sex education", qui est un film interdit aux moins de 16 ans ?

1412 réponses



T'es tu senti(e) mal à l'aise ou dérangé(e) lors de leçons et interventions (livres, pièces de théâtres, films, cours d'éducation affective et sexuelle...) programmées par ton établissement au cours de ton parcours scolaire?



Trouves-tu que ces cours, interventions, livres, films,... qui t'ont dérangé(e) sont réellement utiles ? 1178 réponses



Dans le cadre de ces cours et interventions, t'es tu senti(e) libre d'exprimer ton désaccord ? 1273 réponses

