

Appendix

Articles Relevant to Children's Rights in the New Constitution¹⁸⁶

Article 40

All persons have the right to marry with a person of their choice, and of the opposite sex, and to form a family.

The family is the natural group unit of society and is organized in a manner to assure its unity, stability and protection. The family is placed under the protection of public authorities.

The care and education to be given to children constitutes, for parents, a natural right and an obligation that they exercise under the supervision and with the help of public authorities.

Children have the duty to assist their parents.

The law sets the rules on marriage and the organization of the family.

Article 41

A child means every human being, without distinction between male and female, who has not yet reached the age of eighteen years.

All children have the right to know the name of their father and mother.

It is also the right of children to enjoy their protection of their family, of society, and of public authorities.

The abandonment and mistreatment of children, notably pedophilia, sexual abuse as well as accusations of sorcery, are prohibited and punishable by law.

Parents have a duty to care for their children and to assure their protection against all acts of violence both inside and outside the home.

Public authorities have the obligation to assure the protection of children in difficult situations and to bring to justice the perpetrators and their accomplices who commit acts of violence against children.

All other forms of exploitation of children are severely punishable by law.

¹⁸⁶ This is an unofficial translation by Human Rights Watch from the original French version.

Article 42

Public authorities have the obligations to protect youth against all harm to their health, education and personal development.

Article 43

All persons have the right to education in school. Education is provided by national instruction.

National education consists of public establishments and registered private establishments.

The law sets the conditions for the creation and functioning of these establishments.

Parents have the right to choose the type of education given to their children.

Primary school is compulsory and free in public establishments.

Article 190

No one may, under penalty of high treason, organize militias, paramilitary groups, or private militias, nor maintain an army of youths.