



# CHILD SOLDIERS: CRC COUNTRY BRIEFS

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Prepared by The Coalition to Stop the Use of Child Soldiers

## FRANCE

French Republic

### SUMMARY

<b>CRC-OP-CAC: Declaration:</b>	5/02/03
<b>Other treaties ratified:</b>	CRC; GC/API-II; ICC; ILO 138; ILO 182
<b>Legal minimum recruitment age: Conscripts: Volunteers:</b>	No 17 with consent of parent or guardian
<b>Government armed forces</b>	290,000 active, <i>gendarmarie</i> 99,000
<b>RECRUITMENT AND USE OF CHILD SOLDIERS</b> Legislation allows for voluntary enlistment in the armed forces from the age of 17 if consent is obtained from a parent or guardian. In 2000, between two and three per cent of all male recruits were estimated to be aged between 17 and 19 and a slightly higher proportion of females were in that age grouping. <sup>1</sup>	

### GOVERNMENT

France has more than 40,000 troops stationed overseas, including several thousand in states with which it has defence agreements and some 15,000 deployed to UN or other internationally mandated peace-keeping operations including in Afghanistan, Bosnia-Herzegovina, Cote d'Ivoire, Democratic Republic of Congo, Georgia, Kosovo and the Middle East, Sierra Leone<sup>2</sup>

### National Recruitment Legislation

Under Law No. 97-1019 (28 October 1997) amending the 1972 National Service Code, conscription was fully suspended as of 30 November 2001.<sup>3</sup> However, according to Article L112-2 the government retains the right to reinstate conscription at any time. If reinstated, national service legislation would specify a minimum compulsory recruitment age of 18 (Article 88, Law No. 72-662 of 13 July 1972). Volunteers under the age of 18 may still enlist if they obtain the consent of a legal guardian (Article 88, Law No. 72-662, 13 July 1972).<sup>4</sup> Voluntary enlistment by 17-year-olds into the French Foreign Legion is also permitted so long as parental or guardian consent has been obtained. Candidates must undergo a series of tests and medical examinations and, if successful, the candidate is asked to sign a five-year unconditional contract to serve wherever needed in the French Foreign Legion.<sup>5</sup>

### Child Recruitment and Deployment

In 2000, between two and three per cent of all male recruits were reportedly between the ages of 17 and 19, and a slightly higher proportion of females were in that age grouping.<sup>6</sup>

### **Military Training and Military Schools**

There are a number of military schools in France - four for the Army (Prytanée militaire de La Flèche, Saint-Cyr-l'École, Aix-en-Provence and Autun), one for the Air Force (L'école d'enseignement technique de l'armée de l'air de SAINTES - EETAA) and one for the Navy (Lycée naval de Brest) with a total of 4,100 students. A school was also established for children from families whose head had disappeared during the course of duty in the air force (military or civil), which in 1982 became a military school *L'École des pupilles de l'air*, in Grenoble-Montbonnot.<sup>7</sup> These military schools are under the control of the army although teachers are provided through the national education system.<sup>8</sup> According to the Permanent Mission of France to the UN in Geneva, only the Air Force technical education school of Saintes accepts pupils at the age of 16 or under. This school provides 24 months of studies and access to the Air Force technical school of Rochefort. After the two-year period students are obliged to sign a 5-year contract with the Air Force.<sup>9</sup>

There is also a Polytechnic School (*Ecole Polytechnique*). Under Law No. 70-631 of July 1970, as amended by Law 94-577 of July 1994, candidates must be 17 to sit admission exams. Students may enter the school during the year they turn 18. According to Article 4 of the Law, these students are in a "situation of activity in the army".<sup>10</sup>

### **International Standards**

France signed the CRC-OP-CAC on 8 September 2000 but domestic legislation permits the use of voluntary recruits from the age of 17 and France supported the inclusion of a minimum age limit of 16 for entry into military schools during negotiations on the Optional Protocol.<sup>11</sup> France was one of the few European countries to support a clear prohibition on the use of children as soldiers in the ILO Convention on the Worst Forms of Child Labour.

### **QUESTIONS TO STATE REPRESENTATIVES**

- ⇒ How many under-18s are currently serving in the government's armed forces?
- ⇒ Now that the government has ratified the OP-CRC-CAC, will it take steps to bring domestic legislation into line with the "straight 18" standard for legislation?

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<sup>1</sup> Ministry of Defense, France, Dossier "Les femmes militaires: carrieres et conditions de vie" at [www.defense.gouv.fr](http://www.defense.gouv.fr) as at 3/4/01.

<sup>2</sup> <http://www.defense.gouv.fr>

<sup>3</sup> Ministry of Defense, "Le texte de la loi", at: [http://www.legifrance.gouv.fr/html/frame\\_io.html](http://www.legifrance.gouv.fr/html/frame_io.html)

<sup>4</sup> Text at: <http://www.legifrance.gouv.fr/textes/html/fic197207130662.htm>

<sup>5</sup> French Embassy in Washington, <http://www.info-France-usa.org/america/embassy/legion/enlist.htm>

<sup>6</sup> Ministry of Defense, France, Dossier "Les femmes militaires: carrieres et conditions de vie" at [www.defense.gouv.fr](http://www.defense.gouv.fr) as at 3/4/01.

<sup>7</sup> see <http://www.defense.gouv.fr>

<sup>8</sup> Isnard, J., "Alain Richard lance une réflexion sur l'évolution des lycées militaires", *Le Monde*, 27/2/99, p. 30.

<sup>9</sup> Permanent Mission of France, 3/9/99, op. cit.

<sup>10</sup> See <http://www.polytechnique.fr>.

<sup>11</sup> "Rectificatif de la Fiche d'information concernant la France", Information provided by the representative of France to the Conference on the Use of Children as Soldiers in Europe, Berlin, 18 to 20 October 1999