



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Consideration of reports submitted by States Parties under article 44 of the Convention

Concluding observations: Bahrain

1. The Committee considered the consolidated second and third periodic report of Bahrain (CRC/C/BHR/2-3) at its 1618th and 1619th meetings (see CRC/C/SR.1618 and 1619), held on 1 June 2011, and adopted, at its 1639th meeting, held on 17 June 2011, the following concluding observations.

I. Introduction

2. The Committee welcomes the submission of the State party's combined second and third periodic report, although it regrets the delay of its submission. The Committee furthermore appreciates the detailed written replies to the list of issues (CRC/C/BHR/Q/2-3) and the fruitful dialogue held with the high-level multi-sectoral delegation, which contributed to a better understanding of the situation of children in the State party.

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

3. The Committee notes with appreciation the adoption of the following legislative, institutional, policy and other measures:

(a) Act No. 1 of 2008 on combating the trafficking of persons and the establishment of a national committee to combat trafficking in persons;

(b) Amendments to the Act No. 40 of 2005 on the facilitation of proceedings before the sharia courts, especially in cases involving child maintenance payments and child custody;

(c) Act. No. 18 of 2006, concerning social security and providing the basic necessities for a decent life to the Bahraini citizens and their families; and

(d) The 2006 royal decree issued by King Hamad granting citizenship to at least 372 children of citizen mothers and non-citizen fathers.

4. The Committee also notes with appreciation the ratification or accession to:

- (a) The International Covenant on Economic, Social and Cultural Rights (27 Sept. 2007);
- (b) The International Covenant on Civil and Political Rights (20 Sept. 2006);
- (c) The Convention on the Elimination of all Forms of Discrimination against Women (18 June 2002);
- (d) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (21 Sept. 2004);
- (e) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (21 Sept. 2004);
- (f) The United Nations Convention against Transnational Organized Crime (7 June 2004);
- (g) The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (7 June 2004), and
- (h) The Protocol against Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (7 June 2004).

III. Factors and difficulties impeding the implementation of the Convention

5. In the aftermath of the recent events in 2011, the Committee wishes to recall to the State party the continuous nature of international human rights obligations and that the rights under the Convention apply to all children at all times. The Committee expresses its concern that children were not sufficiently protected during the events and calls upon the State party to strengthen its legal and institutional system for the protection and promotion of the rights of the child, especially those in contact with the law. The Committee notes the State party's willingness to host an OHCHR assessment mission.

IV. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44, para. 6, of the Convention)

The Committee's previous recommendations

6. The Committee notes the positive efforts by the State party to implement the Committee's concluding observations (CRC/C/15/Add.175) on the State party's initial report in 2002 (CRC/C/11/Add.24). However, the Committee regrets that some of the recommendations have been insufficiently or only partly addressed, and reiterates its previous recommendations.

7. **The Committee urges the State party to take all necessary measures to address the recommendations from the concluding observations of the State party's initial report that have not yet been, or have partly been implemented, including those related, in particular, to the legislation, the coordination of the child-related activities**

of relevant ministries, NGOs and civil society, the administration of juvenile justice, the investigation of allegations of torture and ill-treatment and the prevention of discrimination. In this context, the Committee draws the attention of the State party to its general comment No. 5 (2004) on general measures of implementation of the Convention on the Rights of the Child.

Legislation

8. The Committee notes the State party's ongoing efforts to reform the national law pertaining to the rights of the child. The Committee is, however, concerned at the considerable delay since 2002 in the adoption of the Child Rights and Education Bill, as well as some other important legislative acts, such as the Law on the Family, the Law on Civil Society and the Law on Personal Status, and that this ongoing process has not yet ensured the full compliance of national legislation with the Convention. Furthermore, the Committee is concerned at the narrow interpretations of some domestic laws and the fact that the provisions of the Convention have not been invoked or referred to directly in courts, which may impede the enjoyment of some human rights enshrined in the Convention.

9. **The Committee calls upon the State party to adopt, as a matter of urgency, the Child Rights and Education Bill, the Law on the Family, the Law on Civil Society and the Law on Personal Status and reiterates its previous recommendation to undertake a comprehensive review of existing legislation to ensure that all laws, as well as all established interpretations thereof, are in full compliance with the Convention. The Committee further recommends that the State party ensure that the provisions of the Convention are respected in all cases by the entire State apparatus.**

Coordination

10 While noting the State party's efforts to strengthen the National Committee on Childhood and the important role played by the Ministry of Social Development in the implementation of the Convention, the Committee is concerned at the considerable confusion over the respective mandates of the National Committee on Childhood, the Consultative Council's Human Rights Committee and the Child Protection Unit within the Ministry of Health. This has resulted in weak implementation and ineffectiveness of the national structures established for children.

11. **The Committee calls upon the State party to establish a main coordinating body that is provided with a clear and strong mandate to coordinate and supervise the activities of the relevant national agencies such as the National Committee on Childhood, the Consultative Council's Human Rights Committee and the Child Protection Unit of the Ministry of Health. The Committee recommends that, in order to undertake this task, such a body be provided with an appropriate legal framework and considerable decision-making powers. Furthermore, the State party is encouraged to ensure a more coordinated approach in the allocation of adequate human, technical and financial resources to the respective coordinating institutions and to identify strategies to integrate children's associations and NGOs to support the implementation of the Convention. The Committee recommends that mechanisms for periodic evaluation of the implementation of the Convention be established and that these include the participation of children, as appropriate.**

National Plan of Action

12. The Committee notes the State party's National Youth Strategy (2005-2009), which was developed by the General Organization for Youth and Sports and the United Nations Development Programme. However, the Committee remains concerned as to whether this

strategy has been extended beyond 2009, and at the lack of information on the implementation process and its evaluation.

13. The Committee encourages the State party to take all necessary measures to adopt a comprehensive National Plan of Action for Children that takes into account the outcome document “A world fit for children” adopted by the General Assembly and its mid-term review of 2007. The Committee further urges the State party to ensure that the National Plan of Action respects all the provisions of the Convention and its two Optional Protocols and that the implementation of the plan be regularly monitored and the results evaluated.

Independent monitoring

14. The Committee notes the establishment of the national human rights institution. However, the Committee is concerned that it does not comply with the Paris Principles. Furthermore, the Committee notes with regret that the institution is neither accredited with the Coordinating Committee of National Institutions for the Promotion of Human Rights (ICC) nor scheduled for an ICC review.

15. The Committee urges the State party to establish a national human rights institution in full compliance with the Paris Principles (General Assembly resolution 48/134) and in compliance with the Committee’s general comment No. 2 on national human rights institutions, especially regarding the specialization on child rights. The Committee recommends that the State party seek the rapid accreditation of this institution with ICC. The Committee further recommends that the State party equip its national human rights institution with the necessary human and financial resources. The institution should be based on a general framework that allows it to receive and investigate complaints from, or on behalf of, children on violations of their rights secured under the Convention.

Allocation of resources

16. The Committee regrets that the budgeting process in the State party does not allow clear identification of the level and the structure of the resources allocated to children, which prevents access to information on child-related expenditures and the evaluation of the impact of such expenditures.

17. The Committee recommends that the State party initiate a children’s-budgeting exercise that will allow it to make strategic allocations to implement children’s rights, and to monitor its results and impact. Child-rights impact assessment should be regularly conducted to evaluate how the allocation of budget supports the realization of policies, strategies and programmes. In this endeavour, the State party should take into account the Committee’s recommendations during its day of general discussion of 21 September 2007 devoted to “Resources for the rights of the child - responsibility of States”, and consider seeking technical assistance from, inter alia, UNICEF.

Data collection

18. The Committee is concerned at the considerable delay in the development of a central mechanism (DevInfo), responsible for the collection of information related to children’s services and the implementation of the Convention in the State party.

19. The Committee encourages the State party to expedite the establishment of the central mechanism (DevInfo) and to analyze the data collected as a basis for assessing progress achieved in the realization of child rights and to further support the design of policies and programmes to implement the Convention. Data should be disaggregated by age, sex, geographic location, ethnicity and socio-economic background to facilitate analysis on the situation of all children.

Child rights and the business sector

20. The Committee notes the information provided by the delegation regarding the contribution of the private sector to the fund established by the Ministry of Social Development to support the work of civil society organizations. Beyond this, the Committee notes that foreign investment in the State party is high and so is the activity of country-based multinational corporations abroad. It regrets that the State party has not yet developed a framework for the business sector to operate in a way that takes into account the impact of such activities on human rights, in general, and on child rights, in particular.

21. The Committee recommends that the State party establish a regulatory framework for the activities of Bahrain private corporations, including multinational corporations domiciled in Bahrain, regarding their impact on child rights, and provide for appropriate national institutions and mechanisms to address cases of non-compliance, including extraterritorially, by Bahrain multinational enterprises. In so doing, the Committee recommends that the State party apply the relevant provisions of the Convention. The Committee further encourages the State party to give due consideration to best practices and lessons learnt from around the world in the application of, inter alia, the United Nations Business and Human Rights Framework to the operations of private and public corporations, particularly with respect to child rights.

Dissemination and awareness-raising

22. The Committee notes the State party's efforts to disseminate and promote the Convention. However, the Committee is concerned that the concrete provisions of the Convention do not appear to be widely known within the entire population.

23. The Committee encourages the State party to find creative ways to promote the Convention on the broadest possible basis, including through audio-visual aids such as picture books and posters, particularly focused on the local level, and by enlisting the support of mass media.

Training

24. The Committee is concerned at the lack of training for the professionals working with and for children, inter alia, police officers, judges, teachers, health professionals and social workers.

25. The Committee recommends that the State party provide adequate and systematic training and/or sensitization of professionals working with and for children such as, inter alia, judges, lawyers, law enforcement personnel, teachers, school administrators and health personnel. The State party is encouraged to fully integrate the Convention and its two Optional Protocols into the curricula at all levels of the educational system. It is suggested that the State party seek technical assistance from, among others, UNICEF, UNESCO and OHCHR for this purpose.

Cooperation with civil society

26. The Committee notes the fact that the State party cooperates with non-governmental organizations, in particular in the area of early child development. However, the Committee is concerned at the considerable delay in promulgating the Law on Civil Society, which would enable civil society to be more active in the process of implementing the Convention and provide its inputs and expertise. Furthermore, the Committee expresses concern that civil society may be facing constraints and undue pressure to curtail its activities.

27. **The Committee recommends that the State party facilitate the incorporation of civil society into the joint national efforts towards the implementation of the Convention. To achieve this objective, the Committee urges the State party to adopt the Law on Civil Society, which should be in line with the provisions of the Convention.**

B. Definition of the child (art. 1 of the Convention)

28. The Committee is deeply concerned at the inequality in the legal minimum age of marriage for boys (18 years) and girls (15 years), and that girls can marry even before the age of 15 years with the agreement of the judge.

29. **The Committee urges the State party to ensure the full compliance of all national provisions on the definition of the child with article 1 of the Convention, in particular, the definition of the minimum age of marriage. The Committee further recommends that the State party carry out awareness-raising programmes on issues such as early marriage so as to enhance the understanding of the persons under the age of 18 as children with rights guaranteed under the Convention.**

C. General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

30. Despite the adoption of a National Strategy for the Advancement of Bahraini Women to promote and protect their rights, the Committee is seriously concerned that de facto discrimination against the girl child, children with disabilities and children living in different areas of the country, is widespread in the State party.

31. **The Committee recommends that the State party review national law and carry out awareness-raising and training programmes with a view to eliminating de jure and de facto discrimination against the girl child, children with disabilities and children living in different areas of the country, especially those living in the poorest areas.**

Best interests of the child

32. The Committee is concerned that certain actions and practices concerning children do not fully reflect the concept of the best interests of the child, inter alia, because of the poor training provided to decision makers in assessing the best interest of the child. In the absence of a Child Act reflecting this basic principle of the Convention, the principle of the best interests of the child continues to be ignored, in particular in the practice of early marriages, custody after the divorce of a child's parents, and children in institutions.

33. **The Committee urges the State party to strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings as well as in all policies, programmes and projects relevant to and with an impact on children, especially with respect to the pending draft Child Act. The legal reasoning of all judicial and administrative judgements and decisions should also be based on this principle. The Committee recommends that the State party make sure that all decision makers receive adequate training.**

Right to life, survival and development

34. The Committee commends the State party on its success in reducing child and maternal mortality. However, the Committee is deeply concerned that the political unrest has had disturbing influences on children in the Kingdom of Bahrain, resulting in breaches of the basic rights to survival, health and protection of children.

35. The Committee urges the State Party:

(a) To sustain its current high levels of development while maintaining positive achievements related to child development and survival;

(b) To sustain the current levels for funding programmes related to child education, health, and protection; and

(c) To protect children from the effects of political unrest in the streets and ensure that security forces and health personnel dealing with children respect and enforce the Convention.

Respect for the views of the child

36. The Committee notes as positive the possibility for the judges in family cases to hear children concerned by the decisions. However, the Committee remains concerned that the structures provided for children in institutions at the community, the family, schools or administrative levels are still inadequate to ensure their full participation on matters of concern to them.

37. **On the basis of article 12 of the Convention and general comment No. 12 (2009) on the right of the child to be heard, the Committee urges the State party:**

(a) **To take measures to ensure that the child's right to be heard is respected and implemented in all civil and penal judicial proceedings as well as in administrative proceedings, including those related to children in alternative care; and**

(b) **To take effective measures to enhance the understanding of the value of the right of the child to be heard in all institutions attended by children and at all levels of society, especially at the community and school level, including awareness-raising activities, and training for adults and children.**

D. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)**Name and nationality**

38. The Committee welcomes the 2006 royal decree granting citizenship to at least 372 children of Bahraini mothers and non-citizen fathers. The Committee further notes with appreciation the endorsement of Law 35/2009 which mandates that children of Bahraini women married to non-Bahrainis pay the same fees as citizens for government services such as health, education, and accommodation. However, the Committee is concerned that children born from Bahraini mothers do not have direct access to nationality, as children born from Bahraini fathers.

39. **The Committee strongly urges the State party to revise its national legislation with a view to allowing the transfer of Bahraini citizenship to the children of Bahraini mothers and non-citizen fathers on the same basis as the transfer of citizenship to children of Bahraini fathers and non-citizen mothers.**

Freedom of expression, freedom of association and peaceful assembly, and access to appropriate information

40. While noting that the Constitution of the State party contains provisions on freedom of expression (art. 23), freedom of associations and peaceful assembly (art. 27) and access to appropriate information (art. 7), the Committee is deeply concerned that these rights are not always respected, including during the recent events in 2011, particularly for children.

41. The Committee urges the State party to take all necessary measures to ensure guarantees for the full implementation of the rights of children to freedom of expression, freedom of association and peaceful assembly and access to appropriate information, in accordance with articles 13, 15 and 17 of the Convention.

Torture or other cruel, inhuman or degrading treatment or punishment

42. The Committee notes with concern reports according to which torture and other forms of ill-treatment were used by the State party during the recent political events. Furthermore, the Committee is concerned that among the victims of torture there allegedly have been persons under the age of 18. In this regard, the Committee expresses serious concern at the lack of investigation into complaints of torture and other forms of ill-treatment and arbitrary arrests, resulting in insufficient prosecution of perpetrators.

43. The Committee strongly urges the State party to take all necessary measures to ensure that no child is subject to torture or other forms of inhuman, degrading or cruel treatment or punishment as guaranteed by article 37 (a) of the Convention. The Committee calls upon the State party to respect its commitment to the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as to the prohibition of torture in Bahraini law. The Committee further reminds the State party that measures to prevent incidents of torture must include independent monitoring of places of detention and the undertaking of comprehensive training programmes for security and police personnel. The State party is strongly encouraged to establish an effective complaints and data collection system concerning complaints on torture or other forms of ill-treatment of children deprived of their liberty. In addition, all allegations of torture or other forms of ill-treatment must be promptly and properly investigated and perpetrators prosecuted.

Corporal punishment

44. The Committee remains concerned that little or no action has been taken, or is planned for, prohibiting corporal punishment in all settings, including the home.

45. The Committee urges the State party to ensure the prohibition of corporal punishment in all settings, including in the home. The Committee further strongly recommends that the State party conduct awareness-raising programmes to ensure that alternative forms of discipline are used, in a manner consistent with the dignity of the child, drawing the State party's attention to general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and to seek assistance from religious and community leaders in this respect.

Follow-up to the United Nations Study on Violence against Children

46. With reference to the United Nations Study on Violence against Children (A/61/299), the Committee recommends that the State party:

(a) Take all necessary measures for the implementation of the recommendations contained in the report of the independent expert for the United Nations Study on Violence against Children, while taking into account the outcome and recommendations of the regional consultation for the Middle East and North Africa held in 2005, paying particular attention to gender, and:

- (i) Prohibit all forms of violence against children in all settings, including all corporal punishment;
- (ii) Prioritize prevention, by addressing the underlying causes and allocating adequate resources to address risk factors and prevent violence before it occurs;
- (iii) Enhance the capacity of all who work with and for children, by investing in systematic education and training programmes;
- (iv) Provide accessible, child-sensitive and universal recovery and social reintegration services;

(b) Use these recommendations as tools for action, in partnership with civil society and in particular with the involvement of children;

(c) Ensure that every child is protected from all forms of physical, sexual and psychological violence;

(d) Gain momentum to develop concrete and, where appropriate, time-bound action plans to prevent and respond to violence and abuse; and

(e) Seek technical cooperation in this respect from the Special Representative of the United Nations Secretary-General on violence against children, UNICEF and WHO and other relevant agencies, as well as NGO partners.

E. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4), and 39 of the Convention)

Family environment

47. The Committee notes the establishment of eight family consultation centres in different regions of Bahrain. However, the Committee is concerned that this service is not available in all areas. The Committee notes the existence of different court systems in the State party (Sunni court, Jaffari court and the civil court). While welcoming the efforts of the State party to codify Sunni family law, the Committee is concerned at the lack of uniformity between judgements of different court system in the State party, as well as at the delay of the adoption of the civil law, which may prevent some children from having access to fair judgments and cause significant discrimination against different segments of the population in family matters occurring in mixed marriages.

48. The Committee urges the State Party to take all necessary measures to make the family consultation centres available all over the country and to provide appropriate allocations to assist parents or legal guardians, in the exercise of their responsibilities. Furthermore, the Committee strongly encourages the State party to harmonize all three laws and make them in line with the provisions of the Convention.

Children deprived of a family environment

49. While noting the establishment of the Children's Home in 1996 to provide alternative care for orphans and children of unknown parentage, and the establishment of the Boys' Home for boys of 15 to 21, the Committee expresses its concern at the absence of an alternative-care institution for girls from 14 to 18 years old.

50. The State party should take effective measures to provide protection and an alternative family environment to boys and girls without discrimination, taking into account the Guidelines for the Alternative Care of Children contained in General Assembly resolution 64/142 adopted on 20 November 2009.

Abuse and neglect

51 The Committee notes that the State Party has established a centre specializing in the protection of children, which is overseen by the Ministry of Social Development, and has created a helpline for children. The Committee also notes the existence of the bill on domestic violence which is being discussed in the National Assembly. However, since there is persistent domestic violence against women and children in the State party, the Committee is concerned at the lack of progress made to adopt the law. Furthermore, the Committee is deeply concerned about the abuse of children, including working children.

52. The Committee recommends that the State party adopt a comprehensive national strategy and a comprehensive law to prevent, combat and punish domestic violence and other forms of child abuse and neglect, and in particular:

(a) Conduct broad awareness-raising campaigns and training on domestic violence and the legal provisions for officials (law enforcement agencies, judges, lawyers and social workers) who are in direct contact with the victims, as well as for the public at large;

(b) Open State-sponsored temporary shelters exclusively for victims of domestic violence, neglect and abuse throughout the country; and

(c) Ensure the inclusion and participation of the whole society, including children, in the definition and the implementation of preventive strategies against domestic violence and other forms of abuse and neglect.

F. Basic health and welfare (arts. 6, 18, para. 3, 23-24, 26 and 27, paras. 1-3, of the Convention)

Children with disabilities

53. The Committee notes the interest of the State party to provide special assistance to children with disabilities, expressed in the State report and during the dialogue, in particular with regard to their integration in normal schools of compulsory education. The Committee is concerned that the State party has not yet adopted a national policy for children with disabilities and has not established a coordinating body at the national level. The Committee is further concerned at the absence in the State party of specifically oriented schools and inter alia, the inclusive education system for children with disabilities, adequately equipped buildings, adapted school curricula, teaching materials, as well as trained teachers. Furthermore, children with disabilities do not have access to early-childhood educational services, which may reduce possibilities of development for them because of the lack of early intervention. The Committee regrets that the State Party has not progressed towards the ratification of the Convention on the Rights of Persons with Disabilities (signed in 2007) and has not signed its Optional Protocol.

54. The Committee recommends that the State party:

(a) Adopt a national policy on children with disabilities that includes, inter alia, the establishment of a special coordinating body that places the needs of children with disabilities and their contribution to society in focus;

(b) Establish centres for the early detection of childhood disability and rapid intervention by trained officials and to conduct studies and research in this field;

(c) Strengthen its efforts to ensure that adequate human, technical and financial resources are allocated to achieve the fullest possible inclusion of children with disabilities in mainstream education facilities, including by revising the school curricula;

(d) Ensure that professionals working with children with disabilities, especially teachers, receive adequate training, in line with the Committee's general comment No. 9 (2006) on the rights of children with disabilities (CRC/C/GC/9);

(e) Ensure the rights of all children with disabilities in order to prevent them from becoming victims of abuse, exclusion and discrimination and give them the necessary support so as to enable them to become full and active members of society; and

(f) Ratify the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto and proceed with their implementation.

Health and health services

55. The Committee notes the efforts of the State party in the field of health, notably free access to health care services. In this regard, it notes the mandatory test for hereditary anaemia for all persons before marriage. However, the Committee expresses its concern on the high level of anaemia amongst the population in general and children in particular. This is especially a concern in relation to children born from very young mothers.

56. The Committee recommends that the State party strengthen efforts to improve the health situation of all children, in particular, to reduce the level of anaemia amongst children. The Committee recommends that the State party seek technical cooperation from UNICEF and WHO.

Breastfeeding

57. The Committee regrets the absence of systematic data collection on breastfeeding, as well as the lack of breastfeeding promotion and facilities in workplaces.

58. The Committee recommends that the State party establish a National Breastfeeding Committee and systematically collect data on practices ensuring the enforcement of the International Code of Marketing on Breast-Milk Substitutes. The State party should also promote baby-friendly hospitals and encourage breastfeeding in the training of nurses. Moreover the Committee encourages the State party to take special measures to facilitate breastfeeding in the work place.

Adolescent health

59. The Committee notes the establishment of a National Committee for Youth and a special clinic for teenagers. However, the Committee notes with concern the limited knowledge among adolescents of reproductive health and consequences of substance abuse. The Committee is further concerned that the actions taken by the State party do not fully address the need for substantive and comprehensive national programmes and services relating to adolescent health, including reproductive health and other lifestyle issues.

60. The Committee recommends that the State party establish programmes for the promotion of health that are especially targeted at adolescents, including education on reproductive health issues, drug abuse, alcoholism and tobacco use. The Committee further urges the State party seek assistance on this matter from UNICEF and WHO.

G. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

61. The Committee welcomes the fact that primary education is compulsory until the age of 15 for citizens and provided free of charge to citizens and legal residents through grade 12. Nevertheless, the Committee is concerned, that:

(a) Pre-primary education is not a part of the basic education provided by the State party;

(b) There is no comprehensive mechanism to monitor school attendance and performance;

(c) The training for the professional staff in educational facilities on the rights and special needs of children provided to them is insufficient;

(d) Certain areas of education, such as specific vocational training programmes, do not provide equal vocational training opportunities for all children, some of them are being exclusively available to boys or girls and that the curriculum is still stereotyping women's role in books, especially from first to third grades.

62. **The Committee urges the State party:**

(a) **To provide access to early childhood education and raise awareness and motivation of parents with respect to pre-schools and early-learning opportunities;**

(b) **To ensure that primary and secondary education is provided free and make it compulsory for all children without discrimination;**

(c) **To continue to increase public expenditure for education, in particular primary education, with specific attention to addressing gender and regional disparities in the enjoyment of the right to education, and to enhance quality of education, including by ensuring that parents are not required to bear any financial burden for education and learning materials;**

(d) **To take effective measures to ensure equal access to secondary education, and**

(e) **To continue and strengthen efforts to ensure the availability and accessibility of vocational training opportunities for all children, on an equal basis for boys and girls, and with a priority to children from vulnerable groups.**

Aims of education

63. The Committee is concerned that the State party's national curriculum pays insufficient attention to essential human rights education, especially with regard to the rights enshrined in the Convention.

64. **The Committee, while drawing the State party's attention to its general comment No. 1 (2001) on aims of education, recommends that the State party include human rights and child rights in the curricula of schools at all levels. The Committee also requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account general comment No.1 (CRC/GC/2001/1) on the aims of education.**

H. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d) and 32-36 of the Convention)

Economic exploitation, including child labour

65. The Committee is concerned that forms of child labour still persist in the State party. Furthermore, the Committee is concerned that the national law allows for exceptions to the minimum age for employment (16 years), resulting some children in the State party working from the age of 14. While noting the efforts of the Ministry of Labour to enforce the law against child labour in the industrial sector, the Committee is concerned that monitoring outside this sector is less effective, especially regarding domestic work.

66. **The Committee urges the State party to take all appropriate steps to eliminate exploitative child labour. Specifically, the Committee urges the State party:**

(a) **To adopt a comprehensive list of exploitative and hazardous work prohibited to persons under the age of 18, as recommended by the ILO Committee of Experts on the Application of Conventions and Recommendations;**

(b) **To ensure the effective enforcement of applicable sanctions against persons violating existing legislation on child labour, including by raising awareness of international standards relating to child labour among labour inspectors, the general public and law enforcement agencies.**

Sexual exploitation and abuse

67. The Committee notes with concern the recent increase in the number of reported cases of child sexual abuse in the State party. The Committee is further seriously concerned that, as a solution for child sexual abuse cases, marriage between victim and abuser is encouraged in the State party. The Committee is also gravely concerned that children victims of sexual abuse are treated as offenders, and not as victims.

68. **The Committee recommends that the State party use existing data on child sexual exploitation and abuse to design specific programmes to improve the situation. The Committee further recommends that the State party implement adequate legislation, policies and programmes for prevention, investigation, prosecution, recovery and social reintegration of child victims of sexual abuse and exploitation, taking into account the outcome documents from the First, Second and Third World Congresses against Sexual Exploitation of Children, held in 1996, 2001 and 2008 respectively, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Furthermore, the Committee urges the State party to take all appropriate measures to identify abused children as victims and not as offenders.**

Administration of juvenile justice

69. The Committee is deeply concerned that:

(a) The legal minimum age of criminal responsibility remains at a very low level (7 years), which is below internationally accepted standards, even if no deprivation of liberty is legal under 15;

(b) Under the national criminal code, children lose their status of being a child at the age of 15 and the provisions of the Juvenile Law are not applied to them;

(c) The State party criminalizes behavioural problems of children which often are the result of psychological or socio-economic problems, also referred to as status offences;

- (d) Alternatives to deprivation of liberty are not sufficiently used;
- (e) No separate housing is provided for detained children aged 15-18; and

(f) Sufficient information has not been provided during the dialogue regarding the allegations concerning a case of a young person who was sentenced to life imprisonment in 2010 for an act committed when he was 17 years old.

70. The Committee reiterates its previous recommendation (CRC/C/15/Add.75, para. 48) that the State party bring the system of juvenile justice fully in line with the Convention, in particular, with articles 37, 39 and 40, and with other relevant standards including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Rules), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in the Criminal Justice System; and the Committee's general comment No.10 (2007) on the rights of the child in juvenile justice. In this regard, the Committee recommends that the State party:

- (a) Raise the legal age of criminal responsibility to an internationally acceptable level at least, and not below 12 years;
- (b) Raise the age of full criminal responsibility to 18 years and accord protection of juvenile justice to all children below 18 years and over the newly established minimum age;
- (c) Adopt a preventive strategy to avoid children entering in conflict with the law;
- (d) Ensure that all cases of children in conflict with the law are treated by specialized judges, in specialized courts;
- (e) Expand possibilities for alternative sentences such as probation and community service, that deprivation of liberty is always used as a last resort and that conditions of detention are in conformity with international standards;
- (f) Increase efforts to establish a gender-sensitive programme of recovery and reintegration of children following justice proceedings;
- (g) Ensure that there are effective independent mechanisms available to receive and address concerns raised by children within juvenile justice system;
- (h) Train juvenile-justice judges and develop a comprehensive training programme for police brigades, judges and social workers and other professionals dealing with children in conflict with the law to strengthen their technical capacity and knowledge on juvenile justice system and alternatives for detention;
- (i) Fully investigate the case of the young person who was sentenced to life imprisonment in 2010 for an act committed when he was 17 years old and provide information to the Committee on any judicial development of this case and whether the sentence has been reviewed; and
- (j) With the use of the technical assistance of UNICEF and the United Nations Interagency Panel on Juvenile Justice, monitor the quality and efficiency of juvenile justice in order to ensure its compliance with international standards at all time and for all crimes.

Child victims and witnesses of crimes

71. The Committee recommends that the State party ensure, through adequate provisions and regulations, that all child victims and child witnesses of crimes, such as child victims of abuse, domestic violence, sexual and economic exploitation, abduction and

trafficking, as well as witnesses of such crimes, have effective access to justice and are provided with the protection required by the Convention, taking fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, annexed to Economic and Social Council resolution 2005/20 of 22 July 2005.

I. Ratification of international human rights instruments

72. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, the International Convention on the Rights of Migrant Workers, the two Optional Protocols to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and any other relevant conventions.

J. Cooperation with regional and international bodies

73. The Committee notes that various programmes and projects are being implemented in the framework of international cooperation, including technical assistance and cooperation of United Nations agencies and programmes.

74. The Committee recommends that the State party continue to undertake measures to sustain and increase international cooperation, while at the same time seeking to strengthen its own resources and institutional structure for the implementation of the Convention, its two Optional Protocols and other human rights instruments.

K. Follow-up and dissemination

Follow-up

75. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, inter alia by transmitting them to the political leadership, and also, to the extent possible, to local governments, for appropriate consideration and further action.

Dissemination

76. The Committee further recommends that the second periodic report and written replies submitted by the State party and the related recommendations (concluding observations) be adopted, made widely available in the main languages of the country, including (but not exclusively) through the Internet, the print and broadcast media to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

L. Next report

77. The Committee invites the State party to submit its combined fourth to sixth periodic report by 14 September 2017 and to include therein information on the implementation of the present concluding observations.

78. The Committee draws attention to its harmonized treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the reporting guidelines. Should a report exceeding the page limitations be submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, then translation of the report for purposes of examination by the treaty body cannot be guaranteed. The Committee also invites the State party to submit its reports on the implementation of two Optional Protocols to the Convention.

79. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the Harmonized Guidelines on Reporting, approved by the 5th Inter-Committee Meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).
