



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-third session

11-29 January 2010

### Consideration of reports submitted by States parties under article 44 of the Convention

#### Concluding observations: Cameroon

1. The Committee considered the second periodic report of Cameroon (CRC/C/CMR/2) at its 1464th and 1466th meetings (see CRC/C/SR 1464 and CRC/C/SR 1466), held on 14 January 2010, and adopted, at the 1501st meeting held on 29 January 2010, the following concluding observations.

#### A. Introduction

2. The Committee welcomes the submission of the second periodic report as well as the written replies to its list of issues (CRC/C/CMR/Q/2/Add.1) and commends the self-critical nature of the report. The Committee appreciates the presence of a high-level and multisectoral delegation and the frank and constructive dialogue, which allowed for a better understanding of the situation of children in the State party.

#### B. Follow-up measures and progress achieved by the State party

3. The Committee notes with appreciation the adoption by the State party of legislation providing protection for the rights of the child, inter alia:

- (a) Act No. 2005/015 of 29 December 2005 on Combating Child Trafficking and Slavery;
- (b) Act No. 2005/006 of 27 July 2005 concerning the Status of Refugees;
- (c) Act No. 2005/007 of 27 July 2005 on the Code of Criminal Procedure.

4. The Committee appreciates the establishment of:

- (a) The Ministry of Youth and the Secretariat of State for Youth Affairs in 2004;
- (b) Several ministerial departments responsible for the rights of the child in August 2004 by Decree No. 2004/320 on the Organization of the Government;

(c) The Department for the Social Protection of the Child in May 2005 by Decree No. 2005/160 on the Organization of the Ministry of Social Affairs.

5. The Committee also welcomes the ratification by the State party of the following:

(a) International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, on 5 June 2002;

(b) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, by a decree of 18 November 2004;

(c) The 1998 Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights on 25 July 2006.

### **C. Factors or difficulties impeding the implementation of the Convention**

6. The Committee notes that the State party is currently facing difficulties which hamper progress in the effective implementation of the Convention, including the impact of the global economic crisis and regional conflicts which have led to a significant influx of refugees into Cameroon and an increase in the incidence of HIV/AIDS.

### **D. Main areas of concern and recommendations**

#### **1. General measures of implementation (arts. 4, 42 and 44, paragraph 6 of the Convention)**

##### **The Committee's previous recommendations**

7. The Committee welcomes efforts by the State party to implement the Committee's concluding observations on the initial report of the State party. Nevertheless, the Committee regrets that some of its concerns and recommendations have been insufficiently or only partly addressed.

**8. The Committee urges the State party to take all necessary measures to address its recommendations from the concluding observations of the initial report (CRC/C/15/Add.164) that have not yet been implemented or not sufficiently implemented, including those related to the definition of the child, corporal punishment, child abuse and neglect and juvenile justice, and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second periodic report.**

##### **Legislation**

9. The Committee notes with interest that several laws and regulations have been elaborated since the initial report of the State party in order to protect and promote the rights of children. In particular, the Committee notes with appreciation the elaboration of a draft code on child protection and a draft code on persons and family. However, the Committee regrets the slow pace at which these draft codes are being adopted and enter into force. It also remains concerned over the insufficient implementation of the many laws adopted relevant to children's rights.

**10. The Committee urges the State party to take, as a matter of priority, all appropriate measures to expedite the adoption and entry into force of the draft child**

**protection code and the draft code of persons and family and to ensure adequate human and financial resources for their full implementation. The Committee also recommends that the State party take all necessary measures to ensure the effective implementation of all legislation pertaining to children's rights.**

#### **Coordination**

11. The Committee takes note of the existence of several ministerial departments responsible for various aspects of the rights of the child and welcomes the decentralization process undertaken by the State party. It also notes that the State party has undertaken recent discussions to establish an appropriate mechanism for the coordination of the implementation of the Convention. However, the Committee remains concerned over the lack of coordination among the entities responsible for implementing the rights of the child at the national, regional and local levels and regrets the absence of an effective and efficient mechanism for the coordination of the implementation and monitoring of the Convention.

**12. The Committee urges the State party to establish an effective and efficient mechanism for the coordination of the implementation and monitoring of the Convention, and to provide it with an appropriate level of authority and adequate human, technical and financial resources to carry out its coordinating role effectively, with regard to all ministerial departments and entities responsible for implementing the rights of the child at national, regional and local levels, taking into account the ongoing decentralization process.**

#### **National Plan of Action**

13. The Committee welcomes the adoption of the National Youth Policy and Action Plan and the National Policy on the Comprehensive Development of Young Children, as well as the National Human Rights Action Plan, the Poverty Reduction Strategy Paper and the National Governance Programme, all of which are relevant to children. However, the Committee regrets the absence of a comprehensive National Plan of Action for children covering all areas of the Convention.

**14. The Committee recommends that the State party:**

**(a) Adopt a national plan of action (NPA) for children that fully integrates the rights of the Convention and takes into account the recommendations of the United Nations Special Session on Children held in May 2002 and the text of the outcome document of the African Union second Pan-African Forum on Children; midterm review, adopted in Cairo on 2 November 2007, entitled "Call for Accelerated Action on the Implementation of the Plan of Action towards Africa Fit for Children (2008-2012)" (see A/62/653);**

**(b) Link the NPA for children to the National Human Rights Action Plan and the Poverty Reduction Strategy Paper (PRSP), ensuring its multisectoral and coordinating nature;**

**(c) Provide the necessary human, technical and financial resources for the implementation of the NPA, and carry out the necessary monitoring and evaluation efforts to regularly assess progress across sectors and identify gaps and remedial actions.**

#### **Independent monitoring**

15. The Committee notes the establishment in 2004 of the National Commission on Human Rights and Freedoms and notes with appreciation that it is accessible to children and empowered to receive complaints of violations of child rights. However, the

Committee expresses concern about the independence of the Commission and its insufficient human, technical and financial resources. The Committee further regrets the absence of a mechanism dealing specifically with children's rights.

**16. The Committee recommends that the State party:**

**(a) Ensure that the structure and functions of the National Commission on Human Rights and Freedoms are fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), taking into account the Committee's general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child;**

**(b) Provide the national human rights institution with adequate human, technical and financial resources to carry out its mandate;**

**(c) Establish as appropriate an office of the commissioner for children with a high-level position within the National Commission on Human Rights and Freedoms, or appoint an independent ombudsperson to monitor the implementation of the Convention at the national and local levels. In particular, the State party should ensure that the mechanism is accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and equipped with adequate human, technical and financial resources to address them effectively.**

**Allocation of resources**

17. The Committee welcomes the measures taken by the State party to fight corruption, including the creation of the National Anti-Corruption Commission and the public communication on the use of budget allocations for the implementation of the rights of the child. The Committee also notes with appreciation that the State party has increased the budget allocated to the various ministries responsible for the realization of children's rights and that some financial benefits received from the Heavily Indebted Poor Countries (HIPC) initiative have been allocated to children in the sectors of education, health and social affairs. Nevertheless, the Committee expresses concern at the insufficient budget allocations to ensure the rights of the child in the State party, inappropriate use of allocated resources, and the persistence of corruption, including at local levels, which hampers the implementation of children's rights, as well as the lack of transparency in budgetary allocations especially at the regional and local levels.

**18. The Committee urges the State party, taking into account the Committee's recommendations issued after the Day of General Discussion of 21 September 2007 devoted to "Resources for the rights of the child - responsibility of States", to:**

**(a) Increase the budgetary allocations and investments for children at the national and local levels, and ensure in particular that the Ministries of Social Affairs, Public Health and National Education receive adequate financial, human and technical resources to carry out their work relating to children;**

**(b) Introduce budget tracking from a child rights perspective with a view to monitoring budget allocations for children;**

**(c) Define strategic budgetary lines for disadvantaged or particularly vulnerable children and for those situations that may require affirmative social measures (such as birth registration) and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies;**

**(d) Utilize the system of expenditure indicators and disaggregated data for impact assessments on how to improve investments to serve the best interests of all children, without discrimination or disparities based on gender, ethnicity, socio-economic condition and geographical location;**

**(e) In the context of the decentralization process currently being carried out in the State party, ensure transparent and participatory budgeting through public dialogue and participation, especially of children, and proper accountability by local authorities;**

**(f) Strengthen measures to prevent and prosecute acts of corruption, including at local levels;**

**(g) Seek technical assistance, including from the United Nations Children's Fund (UNICEF) and other national or international organizations, through international cooperation.**

#### **Data collection**

19. The Committee welcomes the adoption in 2008 of a comprehensive National Strategy for the Development of Statistics and the plans to establish a new monitoring and evaluation system. However, the Committee is concerned at the constraints and difficulties facing the National Institute of Statistics in collecting and analysing data and information on children. It is also concerned at the lack of reliable data that is disaggregated, inter alia, by age, sex, geographical location and socio-economic background, on the implementation of the Convention, particularly on children with disabilities, children in street situations, and children victims of child labour, trafficking and sexual exploitation.

**20. The Committee recommends that the State party:**

**(a) Provide the National Institute of Statistics with adequate human, technical and financial resources to implement the National Strategy for the Development of Statistics, ensuring that data collected on children is disaggregated, inter alia, by age, sex, geographical location and socio-economic background;**

**(b) Ensure that information collected contains up-to-date data on a wide range of vulnerable groups, including children living in poverty, children with disabilities, children in street situations, and children victims of child labour, trafficking and sexual exploitation;**

**(c) Strengthen its data collection system with the support of partners and use this data as a basis for assessing progress achieved in the realization of child rights, and to help design effective policies to implement the Convention.**

#### **Dissemination, training and awareness-raising**

21. The Committee notes the efforts made by the State party to publicize the principles and provisions of the Convention, in particular through seminars and workshops, and integration of the Convention into the primary and secondary school curricula, as well as the active participation of the media and civil society. The Committee appreciates in particular that radio stations commented on its previous concluding observations. Nevertheless, the Committee is concerned that the Convention is still not widely known in the State party. In particular, it regrets that the dissemination of the Convention does not extend to all relevant groups, the absence of translation into national languages and the lack of training on the principles and provisions of the Convention.

**22. The Committee recommends that the State party strengthen its efforts to ensure that the principles and provisions of the Convention are widely known and**

understood by communities, religious leaders, parents and children, and ensure the active participation of children and civil society in the dissemination of the Convention. The Committee also recommends that the State party continue its collaboration with the media, ensuring respect for all children's rights. Furthermore, the Committee urges the State party to translate the Convention into appropriate national languages and to expand the dissemination of the Convention to all regions in order to reach the whole population. Finally, the Committee reiterates its previous recommendation to provide systematic education and training on the principles and provisions of the Convention for all professional groups working for and with children, including media personnel, and traditional leaders.

#### **Cooperation with civil society**

23. The Committee notes the efforts made by the State party to cooperate with civil society. However, the Committee is concerned at the limited cooperation between the State party and civil society in the implementation of the Convention. It regrets in particular the limited participation of non-governmental organizations (NGOs) in the preparation of the present report, the lack of transparency in the legal procedure to grant NGO status, as well as the limited number of NGOs working on children's rights that are recognized by the State party.

24. **The Committee recommends the State party to strengthen its collaboration with civil society throughout all stages of implementation of the Convention at national, regional and local levels. It also encourages the State party to ensure more transparency in the implementation of the legal procedure to grant NGO status, and to provide more support to NGOs working on children's rights.**

## **2. Definition of the child (art. 1 of the Convention)**

#### **Definition of the child**

25. The Committee notes the efforts of the State party to harmonize its legislation with the Convention, including the preparation of a draft code on child protection which defines the child as a person below the age of 18 years. The Committee also notes that the draft code on persons and family will establish the minimum legal age for marriage of boys and girls at 18 years. However, the Committee is concerned that the definition of the child is not yet in full conformity with the Convention and that under the current law there are still disparities between the minimum legal ages for marriage of boys (18 years) and girls (15 years).

26. **The Committee urges the State party to accelerate measures to harmonize its domestic legislation fully with the Convention regarding the definition of the child, and urges the State party to raise the legal age of marriage of girls to 18 years, equal to that of boys.**

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

#### **Non-discrimination**

27. The Committee is deeply concerned at the persistence of de facto discrimination among children in the enjoyment of their rights. It is especially concerned that girls, indigenous children, children with disabilities, refugee children, children from poor rural areas, and children in street situations suffer particular disadvantages with regard to education and access to health and social services. The Committee also regrets the

existence of traditions under which only male children are regarded as heirs in matters of inheritance.

28. **The Committee urges the State party to:**

(a) **Strengthen efforts to end all discriminatory practices against children and ensure equal respect for the rights of all girl and boy children in the State party, including indigenous and refugee children, children living in poor rural areas and children with disabilities;**

(b) **Reinforce the implementation of existing laws related to non-discrimination and bring customary law into conformity with the Convention, in particular with regard to the inheritance rights of girls and women;**

(c) **Include specific information in the next periodic report on the measures and programmes relevant to the Convention 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 the Committee's general comment No.1 (2001) on the aims of education, as well as on the measures taken to follow up on the 2009 Durban Review Conference.**

#### **Best interests of the child**

29. The Committee notes the efforts made by the State party to take into account the best interests of the child, including in judicial procedures and in penal and administrative matters. However, the Committee remains concerned that the principle of the best interests of the child is not incorporated into all current legislation concerning children, nor sufficiently applied in practice.

30. **The Committee recommends that the State party take all appropriate measures to ensure that the principle of the best interests of the child is adequately integrated into all legal provisions and implemented in practice in judicial and administrative decisions and in programmes, projects, and services which have an impact on children, in accordance with article 3 of the Convention.**

#### **Respect for the views of the child**

31. The Committee notes the progress made in the implementation of the principle of respect for the views of the child, especially through the establishment of youth municipal councils, student governments and a youth parliament. It also acknowledges with satisfaction the inclusion in the National Youth Policy and Action Plan of the right of children to express their views. However, the Committee regrets that the youth parliament has not been institutionalized yet and that the views of the child are not systematically taken into account. The Committee also regrets the lack of information on the participation of children in judicial and administrative proceedings, and in decision-making in the home.

32. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to ensure that children's views are given due consideration in the community, the family and schools and to guarantee the right of the child to be heard in any judicial and administrative proceedings affecting the child, in accordance with article 12 of the Convention;**

(b) **Institutionalize the youth parliament by enacting an appropriate law to cover, inter alia, its structure, equitable representation of all children and rules of procedure;**

(c) Introduce in an appropriate manner the initiative of children's parliaments, student governments and municipal councils at the regional and local levels, ensuring that children's views are effectively heard;

(d) Take into account the Committee's general comment No. 12 (2009) on the right of the child to be heard;

(e) Encourage participation of children in all settings and provide information in the next report on the participation of children, especially in judicial and administrative proceedings and in decision-making in the home.

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

##### **Birth registration**

33. The Committee notes the ongoing review process of birth registration and welcomes efforts made to ensure registration of disadvantaged Bororo, Baka, Bakola and Mafa children. However, the Committee is concerned that despite these measures the level of birth registration remains low and seriously affects the rights of children to identity and access to basic services. The Committee also notes with concern the significant disparities between urban and rural areas in birth registration.

34. The Committee urges the State party to strengthen and further develop its national system of registration to ensure that all children born within the national territory are registered, paying particular attention to the most disadvantaged children including Bororo, Baka, Bakola and Mafa children, girls, children living in rural areas, and refugee children. Furthermore, in order to implement effective birth registration, the Committee recommends that the State party:

(a) Create institutional structures with adequate human, technical and financial resources at all levels that allow compulsory, accessible and free birth registration especially in rural and remote areas and refugee camps;

(b) Extend the time period during which obtaining birth registration is free from 30 to 120 days and establish easily accessible registration centres and mobile units for remote and rural areas, giving priority and resources to placing centres in underserved regions which have low rates of birth registration;

(c) Seek technical assistance, inter alia from UNICEF, for the implementation of these recommendations.

##### **Torture or other cruel, inhuman or degrading treatment or punishment**

35. The Committee notes the recent signing by the State party of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (15 December 2009). Nevertheless the Committee expresses serious concern about the persistence of ill-treatment of children and is deeply concerned that alleged cases of torture against children are not duly investigated and perpetrators not brought to justice. It also remains concerned over the absence of compensation and rehabilitation measures for children victims of torture.

36. The Committee urges the State party to:

(a) Undertake all necessary measures to prevent acts of torture and inhuman or degrading treatment or punishment, in particular through training of the police force;



(b) Ensure that children victims of torture and ill-treatment have effective access to appropriate complaint mechanisms or procedures;

(c) Investigate, prosecute and sanction those involved in committing acts of torture and inhuman or degrading treatment or punishment against children and young persons, bearing in mind the previous recommendation of the Committee (CRC/C/15/Add.164, para. 35);

(d) Provide care, recovery, reintegration and compensation for children victims of torture;

(e) Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

#### **Corporal punishment**

37. The Committee notes with satisfaction that corporal punishment is forbidden in schools and is unlawful as a sentence for crime in the penal system. However, the Committee is deeply concerned that corporal punishment still occurs in schools, despite the regulations, and remains lawful and frequent in homes. In addition the Committee regrets that it is not explicitly prohibited by law in alternative care settings and in situations of employment.

38. **The Committee urges the State party to:**

(a) Explicitly prohibit by law all forms of corporal punishment in all settings, including the home, alternative care institutions and in situations of employment;

(b) Ensure that existing and future prohibitions are adequately monitored and enforced;

(c) Take into account the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment.

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

39. The Committee notes the efforts made by the State party to address violence against children. It notes in particular the measures taken on violence in school as well as the study undertaken by NGOs and the Ministry of Basic Education on violence against children. However, the Committee remains concerned over the extremely high persistence of violence against children.

40. **The Committee recommends that the State party adopt further measures to prohibit and prevent violence against children and strengthen its efforts to protect them against any form of violence. In addition it recommends that the State party publicize the results of the NGO/Government study undertaken on violence against children. With reference to the United Nations Study on Violence against Children, the Committee further recommends that the State party:**

(a) Take all necessary measures to implement the recommendations of the United Nations Study on violence against children (A/61/299), taking into account the outcome and recommendations of the Regional Consultations for West and Central Africa (held in Bamako, Mali, from 23-25 May 2005). In particular, the Committee recommends that the State party pay particular attention to the following recommendations:

- Prohibit all forms of violence against children;

- Strengthen national and local commitment and action;
- Promote non-violent values and awareness-raising;
- Enhance the capacity of all who work with and for children;
- Ensure accountability and end impunity;
- Provide recovery and social reintegration services;
- Develop and implement systematic national data collection and research.

**(b) Use the recommendations of the Study as a tool for action in partnership with civil society and, in particular, with the involvement of children to ensure that all children are protected from all forms of physical, sexual and psychological violence and to gain momentum for concrete and time-bound actions to prevent and respond to such violence and abuse;**

**(c) Provide information concerning the implementation by the State party of the recommendations of the Study in the next periodic report;**

**(d) Seek technical cooperation in this respect from the Special Representative of the Secretary-General on Violence against Children, the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF and the World Health Organization (WHO), and other relevant agencies, inter alia, the ILO, the United Nations Educational, Scientific and Cultural Organization, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC), as well as NGO partners.**

**5. 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**

41. Taking into consideration children's need to live in a family environment that affords them support, protection and affection, and while noting efforts made by the State party to provide family support, the Committee regrets that existing family support programmes are limited.

42. **The Committee recommends that the State party provide adequate and appropriate human, technical and financial resources to support programmes for parents in the exercise of their responsibilities. In particular, the State party should provide effective economic and social support to those families with greater difficulties, so as to avoid children being deprived of a family upbringing. The Committee further recommends that the State party promote and strengthen social networks at community level that are equipped with day-care facilities and provide families with appropriate information on the upbringing of children.**

**Recovery of children's maintenance allowance**

43. The Committee welcomes the measures taken by the State party, in cooperation with local NGOs, to disseminate throughout the country information on the legal provisions concerning the recovery of children's allowance, paying particular attention to women and communities in rural areas. However, the Committee is concerned that despite these measures there are still difficulties in the recovery of children's maintenance allowance, mainly due to illiteracy, poverty, and lack of implementation of judicial decisions to pay the maintenance allowance.

44. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to inform parents of the provisions of domestic legislation concerning the recovery of children's maintenance allowance;**

(b) **Guarantee speedy and secure access to court for women who request the payment of children's maintenance allowance;**

(c) **Provide legal aid and social work assistance in the recovery of child maintenance allowance proceedings for parents in need;**

(d) **Establish a mechanism to monitor judicial decisions concerning the payment of child maintenance allowance;**

(e) **Implement legal and other concrete measures to protect from any reprisals parents who request the payment of child maintenance allowance;**

(f) **Consider establishing a national fund to secure payment of child maintenance allowance in those cases where recovery of maintenance fails;**

(g) **Conduct a study on the reasons why parents cannot pay child maintenance allowance or engage in procedures to request recovery of children's maintenance allowance;**

(h) **Seek the assistance of, inter alia, UNICEF.**

#### **Children deprived of a family environment**

45. The Committee expresses its concern about the large number of children deprived of parental care: abandoned children, orphans who need care and protection, including those affected by HIV/AIDS, and children victims of trafficking, exploitation and abuse. The Committee is also concerned about the limited availability of residential care facilities and other forms of alternative care, as well as the limited quality of care in private and public institutions. In addition, the Committee expresses concern about the lack of an adequate policy and the insufficient human, technical and financial resources for alternative care.

46. **The Committee recommends that the State party undertake the necessary measures to protect the rights of children without parental care and address their needs, and inter alia:**

(a) **Set clear standards for children without parental care and ensure comprehensive mechanisms of periodic review and monitoring of placement, in light of article 25 of the Convention and the Guidelines for the Alternative Care of Children contained in General Assembly resolution 64/142 adopted on 20 November 2009;**

(b) **Increase the human, technical and financial resources for alternative care and adapt the existing structures in conformity with these standards;**

(c) **Adopt a strategic framework for orphans and vulnerable children;**

(d) **Provide training on children's rights for staff in alternative care settings and access for children to complaints mechanisms;**

(e) **Provide necessary support to families to enable them to care for their children and safeguard their welfare;**

(f) **Undertake a study to assess the situation of different categories of children placed in institutions (residential care) and adopt measures to improve their living conditions and the services provided.**

**Adoption**

47. The Committee reiterates its concern, expressed in 2001, about the lack of a clear legal and administrative adoption procedure. It is also concerned about the regional disparities in provisions governing adoption, the non-compliance with the principle of the best interests of the child of the Convention, and allegations of sale of children for adoptive purposes.

48. **The Committee recommends that the State party amend its legislation on adoption to ensure a procedure in conformity with article 21 and the principles of the Convention. The Committee reiterates its previous recommendation that the State party accede to the Hague Convention No. 33 (1993) on Protection of Children and Co-operation in Respect of Intercountry Adoption, as this treaty complements the Convention on the Rights of the Child and prevents the sale of children for purposes of adoption. The Committee also urges the State party to:**

- (a) Adopt a unified national law governing adoption;**
- (b) Ensure the best interests of the child and effective consultation with the child in the adoption procedure;**
- (c) Establish legal safeguards to guarantee that parents are informed of all the legal and social effects of the adoption.**

**Abuse and neglect**

49. The Committee notes with appreciation that the Penal Code and the revised Penal Procedure Code provide for the prosecution of perpetrators who abuse children and that child witnesses are considered in the legal proceedings relating to violence against children. Nevertheless, the Committee is deeply concerned at the persistence of abuse and neglect especially in families, including sexual violence and rape. The Committee also regrets the continuing lack of official data on the abuse and neglect of children and lack of programmes for the physical, psychological recovery and social reintegration of child victims.

50. **The Committee urges the State party to:**

- (a) Take further measures to prevent child abuse and neglect, including parenting programmes to enable families to safeguard the welfare and rights of children, and preventive public education campaigns about the consequences of the abuse and neglect of children;**
- (b) Establish effective mechanisms to receive, monitor through collection of data, and investigate reports of cases of child abuse and, when required, initiate prosecutions of perpetrators in a manner that is child-sensitive and ensures the privacy of the victims;**
- (c) Provide child victims of violence, including sexual or other forms of abuse, with the necessary measures for physical and psychological recovery, as well as full support for their social reintegration;**
- (d) Increase the number of professionals working with children (including caregivers, teachers, social workers, medical professionals, members of the police and the judiciary) and ensure that they receive training on the rights of the child and their obligation to report and take appropriate action in suspected cases of violence affecting children;**
- (e) Monitor child abuse and neglect including data collection and analysis incorporated in all social surveys in order to develop appropriate policies.**

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

### **Children with disabilities**

51. The Committee recognizes the efforts of the State party to ensure the rights of children with disabilities and notes that the Act on the Protection of Disabled Persons is currently under review. However, the Committee is concerned at the lack of a clear definition of disabilities and objective classification of children with disabilities in line with WHO standards, the lack of resources for children with disabilities and the limited number of specialized health-care and other qualified personnel to address their needs.

52. **In light of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:**

- (a) Adopt a clear definition of disability in line with international standards;**
- (b) Take all necessary measures to ensure the implementation of legislation providing protection for children with disabilities and ensure that the review process of the Act on the Protection of Disabled Persons fully take into account the rights of children with disabilities and be achieved in a timely manner;**
- (c) Increase human, technical and financial resources allocated to children with disabilities, focusing on the development of community-based services which could better reach families with children with disabilities in all areas, and provide basic education, social and health services;**
- (d) Effectively provide children with disabilities with access to adequate social and health services, as well as to quality and inclusive education;**
- (e) Continue its effort to carry out awareness campaigns to sensitize the public about the rights and special needs of children with disabilities and encourage their inclusion in education and in society;**
- (f) Provide training for professional staff working with children with disabilities, such as teachers, social workers and medical, paramedical and related personnel.**

### **Health and health services**

53. The Committee welcomes the 2001-2015 Health Sector Strategy, the National Programme for Reproductive Health as well as the Strategy for the Integrated Management of Childhood Illness. It appreciates the efforts made by the State party to improve child and maternal health, including the adoption of a National Plan for Nutrition, establishment of a National Committee on Nutrition and development of programmes and policies to improve vaccinations and access to water and recruitment of health workers. However, the Committee is concerned at the persistent lack of financial resources in the health sector. The Committee is very concerned that the various efforts made have not been accompanied by a significant reduction in the rates of infant and child mortality, malnutrition or maternal mortality, all of which remain high, and that vaccination coverage is still limited. The Committee remains concerned at the high incidence of malnutrition in the country, the continuing poor availability of safe drinking water, inadequate sanitation facilities mostly in rural areas, as well as the inadequacy of health-care facilities and qualified health-care personnel.

54. **The Committee strongly recommends that the State party:**

(a) **Strengthen its efforts to improve the health situation of children and increase its budget allocations for health care by supporting programmes with adequate and clearly demarcated resources;**

(b) **Implement the 2001-2015 Health Sector Strategy ensuring adequate access for all children to health services with particular regard to girls and children living in remote rural areas;**

(c) **Continue its efforts, including through the provision of financial resources, to extend vaccination coverage to all parts of the country;**

(d) **Take further measures to reduce infant and child mortality, especially by focusing on preventive measures and treatment;**

(e) **Continue to pay particular attention to child malnutrition and ensure that measures to combat malnutrition are fully integrated into the programmes and policies of the Ministry of Public Health as well as in the Growth and Employment Strategy Paper. In this regard, the State party should ensure that measures taken apply to all children in all regions, without discrimination, and are supported with specific budget allocations for malnutrition;**

(f) **Provide the National Committee on Nutrition with the appropriate level of authority and adequate human, technical and financial resources and ensure that it plays an effective coordinating role in the effort to reduce malnutrition among children;**

(g) **Intensify efforts to reduce maternal mortality throughout the country and develop culturally sensitive health-care services for pregnant women;**

(h) **Undertake additional measures to increase access to safe drinking water and to improve sanitation;**

(i) **Improve the health-care infrastructure and recruit and train more health workers to serve the needs of children in all parts of the country, mainly at the level of primary health care.**

#### **Breastfeeding**

55. The Committee commends the State party for the adoption in 2005 of a breastfeeding policy and a National Code on the Marketing of Infant Formula in conformity with the International Code. Nonetheless, the Committee remains concerned at the limited progress made and the insufficient allocation of resources for child feeding, including breastfeeding. The Committee also regrets the low rate of exclusive breastfeeding, as well as the lack of information on breastfeeding among health workers and traditional leaders, particularly in rural areas.

56. **The Committee encourages the State party to continue its efforts to promote breastfeeding and urges the State party to:**

(a) **Effectively implement the breastfeeding policy as well as the National Infant Feeding Code and allocate sufficient resources for their implementation and monitoring, particularly in rural areas;**

(b) **Include breastfeeding in the annual budget allocation of the Ministry of Public Health;**

(c) **Set up a consolidated breastfeeding data collection system, disaggregated by age, sex, ethnic group, region and other child-related indicators, in line with the Convention;**

(d) **Ensure the full participation of civil society, including NGOs involved with breastfeeding and the feeding of young children, in the elaboration and implementation of the national breastfeeding policy and programme;**

(e) **Raise the awareness of and sensitize mothers as to the importance of exclusive breastfeeding of infants up to the age of six months, and inform and involve traditional leaders and provide training to health workers;**

(f) **Widely disseminate the existing National Infant Feeding Code among the population, and ensure that it is translated into all appropriate languages.**

#### **Adolescent health**

57. The Committee notes with appreciation that the Health Sector Strategy adopted by the State party takes into account adolescent health and that a Programme on the Participation and Development of the Adolescent has been developed. The Committee further notes efforts made by the State party to increase HIV/AIDS prevention measures for adolescents. Nevertheless, the Committee is concerned at the limited information on adolescent health as well as the high rate of teenage pregnancies, increasing use of drugs and alcohol among adolescents, and the limited efforts made to provide them with adequate social, psychological, rehabilitation and reintegration assistance.

58. **The Committee urges the State party to:**

(a) **Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls and sexually transmitted infections (STIs), and adolescents out of school;**

(b) **Take all necessary measures to reduce maternal mortality among adolescent girls and raise further awareness among adolescents of the importance of preventing early pregnancies;**

(c) **Expand confidential reproductive health services for adolescents and ensure improved sex education in schools;**

(d) **Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents;**

(e) **Take appropriate measures to address the situation of adolescents using drugs and alcohol, and provide them with adequate social, psychological, rehabilitation and reintegration programmes;**

(f) **Increase awareness and knowledge of HIV/AIDS prevention and protection methods, including safe sex practices, among adolescents.**

#### **Harmful traditional practices**

59. The Committee welcomes the review in 2009 of the National Plan of Action to Combat Female Genital Mutilation (FGM) and the adoption of the National Programme on Reproductive Health which covers, inter alia, the elimination of harmful traditional practices, including FGM and early and forced marriages. The Committee notes with interest that the State party is currently elaborating a draft law on female genital mutilation and other gender-based offences. However, the Committee is gravely concerned that

infibulation, the most extreme form of FGM, and excision, continue to be widely practised especially in the South-West and Far North regions. It also regrets the lack of adequate information and statistics on traditional harmful practices and the limited sensitization carried out to achieve the abandonment of these practices among the population groups concerned. The Committee shares the concern raised by the Committee for the Elimination of Discrimination against Women regarding the persistence of harmful traditional practices in the State party, including female genital mutilation, breast ironing and early and forced marriages which violate the rights of girls and women, undermine their status and dignity, and have a particularly negative impact on their health.

60. **In line with its previous recommendation of 2001, the Committee urges the State party to:**

**(a) Take all the necessary measures to adopt without delay the draft law on female genital mutilation and other gender-based offences;**

**(b) Ensure that female genital mutilation, breast ironing and early and forced marriages are explicitly criminalized by the law and prosecute those responsible for such acts;**

**(c) Ensure the implementation in a comprehensive manner of the National Plan of Action to Combat Female Genital Mutilation and the National Programme on Reproductive Health, and allocate adequate resources for their implementation, in particular in the South-West and Far North regions;**

**(d) Set up physical and psychological recovery programmes for child victims of harmful traditional practices and provide adequate resources for their implementation;**

**(e) Increase awareness-raising campaigns and educational programmes on the negative effects of harmful traditional practices on children's health, status and dignity, especially girls, ensuring that the campaigns are systematically and consistently mainstreamed and that they target all segments of society including the general public, men, and community, traditional and religious leaders. Also ensure the full participation of civil society and children in programmes and campaigns to combat such practices;**

**(f) Strengthen educational measures for girls who are particularly exposed to harmful traditional practices, including those living in the northern and eastern part of the country;**

**(g) Involve practitioners in the efforts to promote abandonment of these practices and when necessary provide retraining for them;**

**(h) Include data collection on and analysis of traditional harmful practices in national surveys so as to develop measures to tackle and eliminate such practices, ensuring the full participation of women and girls victims of these practices.**

## **HIV/AIDS**

61. The Committee welcomes the adoption of the National Strategic Framework for HIV/AIDS as well as the National Programme to Support HIV/AIDS Orphans and Vulnerable Children. It also appreciates the efforts made by the State party to prevent the spread of HIV/AIDS, including prevention measures especially on mother-to-child transmission, and the provision of free antiretroviral drugs for children from 0 to 15 years. However, the Committee is deeply concerned at the increasing prevalence of HIV/AIDS among children and women, and that access to free voluntary counselling and testing and



antiretroviral treatment is not universal. The Committee is further concerned at the increasing number of orphans and vulnerable children due to HIV/AIDS despite the efforts made by the State party.

**62. The Committee recommends that the State party strengthen its efforts to prevent the spread of HIV/AIDS, taking into account the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child and the International Guidelines on HIV/AIDS and Human Rights. The Committee also urges the State party to:**

**(a) Effectively implement the National Strategic Framework for HIV/AIDS as well as the National Strategic Framework for HIV/AIDS Orphans and Vulnerable Children, and allocate adequate resources for their implementation;**

**(b) Provide free voluntary counselling and testing and universal antiretroviral medication for all children, including those who are over 15 years old;**

**(c) Develop and strengthen policies and programmes to provide care and support for children infected or affected by HIV/AIDS, including programmes and policies to strengthen the capacity of families and the community to care for such children;**

**(d) Carry out activities to reduce stigma and discrimination related to HIV/AIDS and provide awareness-raising on human rights within the context of HIV/AIDS;**

**(e) Continue and strengthen efforts to disseminate information and materials to the public on prevention and protection methods, including safe sex practices.**

#### **Standard of living**

63. The Committee notes efforts made by the State party to improve the standard of living of children through, inter alia, the measures adopted under the poverty reduction strategy. However, the Committee remains concerned that children fail to enjoy all their rights due to widespread poverty in the country, and that large numbers of children do not enjoy the right to an adequate standard of living, including full access to food, food security, clean drinking water, sanitation, adequate housing and education, and a healthy environment.

**64. The Committee recommends that, in accordance with articles 4 and 27 of the Convention, the State party strengthen its multisectoral coordination and allocate adequate human, technical and financial resources to provide support to families, with a particular focus on the most marginalized and disadvantaged families, in order to guarantee the right of children to an adequate standard of living. The Committee further recommends that the State party implement a child-centred policy targeting the elimination of child poverty. In this connection, the Committee urges the State party to give particular priority to the rights and needs of children when drafting and implementing national development plans and that the poverty reduction strategy, entitled "Growth and Employment Strategy Paper", include a clear child rights perspective, especially in the areas of health, nutrition, education, and social and environmental protection.**

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

### **Education, including vocational training and guidance**

65. The Committee welcomes the adoption by the State party of the National Education Sector Strategy, the measures taken to improve literacy rates among girls, and the increase in enrolment rates in primary education. However, the Committee remains concerned over the low budgetary allocation for education and the significant gender and regional disparities in access to education, particularly in the Far North, North, Adamaoua, East and Southern regions. The Committee is also concerned at the extremely high rate of children victims of violence in schools, the high number of school dropouts, the insufficient number of trained teachers, the poor quality of education, the lack of learning materials and equipment, and the lack of water and sanitation facilities. Furthermore, the Committee is deeply concerned that, despite the 1998 law providing for free primary education, parents still pay the major part of educational costs and that children without birth certificates cannot attend schools.

66. **The Committee strongly recommends that the State party:**

- (a) Increase its budgetary allocations for basic and secondary education;**
- (b) Ensure access to education, including early childhood education, in all regions of the State party and pay particular attention to girls and all vulnerable groups of children, including indigenous children and children without birth certificates;**
- (c) Undertake impact assessments of educational programmes and strategies and take corrective measures where necessary to redress disparities between children, in particular gender and regional disparities;**
- (d) Ensure that primary school is free by addressing indirect and hidden costs of basic education;**
- (e) Intensify efforts to ensure that schools are safe places for children and that they are free from sexual, physical and psychological violence;**
- (f) Improve the quality of education through, inter alia, increasing the ratio of teachers to students, ensuring at the same time that teachers are well-trained and fully qualified and that they receive adequate salaries. In this regard take measures to recruit teachers, including trained graduate students, to replace teachers affected by HIV/AIDS who can no longer assume their functions;**
- (g) Provide opportunities for quality vocational training and education, especially for children who drop out of schools;**
- (h) Improve school facilities, notably water and sanitation, including separate sanitary facilities for boys and girls;**
- (i) Seek technical assistance, from UNICEF in particular, to improve birth registration of children with the aim of ensuring their full access to education;**
- (j) Take into account the Committee's general comment No. 1 (2001) on the aims of education.**

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

### **Asylum-seeking and refugee children**

67. The Committee commends the State party for its efforts to receive refugee children from neighbouring countries. It appreciates in particular the adoption of the Act concerning the Status of Refugees in July 2005 (Act No. 2005/006) and the establishment under this law of a Commission responsible for determining eligibility for refugee status. The Committee also commends the State party for the measures taken in cooperation with UNHCR to ensure birth registration and schooling of refugee children and to implement a programme on sexual violence. However, the Committee regrets that the implementing Decree of the Status of Refugees Act has not yet been adopted and that refugee children continue to be victims of sexual violence and early marriage. The Committee is also concerned at the lack of resources to sufficiently address the needs of refugees and is particularly concerned at the high rate of malnutrition among refugee children, especially children below five years of age, and the limited access of refugees to health services, education, sanitation and safe drinking water.

68. **The Committee recommends that the State party strengthen the protection and assistance of refugee children and:**

**(a) Adopt as a matter of priority the implementing Decree of the five year-old Status of Refugees Act;**

**(b) Take the necessary measures, including allocation of adequate resources, to prevent and combat malnutrition among refugee children and ensure that they have adequate access to essential health services, education, sanitation and safe drinking water;**

**(c) Adopt concrete measures to protect children residing in refugee camps, particularly girls, from any form of violence, including early marriage and sexual exploitation;**

**(d) Implement effectively the UNHCR programme on sexual violence, prosecute and punish those responsible for violence against refugee children, and provide the victims with adequate psychological and recovery assistance;**

**(e) Set up, in close cooperation with UNHCR and UNICEF, a consolidated data collection system for refugee children, disaggregated by age, sex and nationality, and provide adequate resources to this end.**

### **Economic exploitation, including child labour**

69. The Committee welcomes measures by the State party to address child labour, including the adoption in 2005 of a National Plan of Action to Combat Child Labour and Trafficking in Children. Nevertheless, the Committee is deeply concerned at the high rate of child labour in the State party, especially in the agricultural sector. The Committee also expresses concern over the situation of children domestic workers and the continuing practice of forced labour. Furthermore, the Committee is alarmed at the very young age of children affected, including both girls and boys from five years of age.

70. **The Committee urges the State party to continue to strengthen its legislative and other measures to combat child labour. In this regard, the Committee recommends that the State party:**

- (a) Effectively implement its labour laws, the National Action Plan on Child Labour and Trafficking, and allocate sufficient human and financial resources for their implementation;
- (b) Prosecute and punish those responsible for child labour, including forced labour;
- (c) Respect the right of working children to be heard in all decisions, policies and programmes affecting them;
- (d) Strengthen its education policies and programmes for children living in rural areas, and provide former child workers with appropriate recovery, education and vocational training opportunities;
- (e) Address the root causes of economic exploitation of children and provide support to parents through poverty reduction programmes in order to eradicate child labour;
- (f) Seek technical assistance from ILO and UNICEF.

#### **Children in street situations**

71. The Committee notes the efforts made by the State party to address the widespread phenomenon of children in street situations, through, inter alia, the elaboration of a project to combat this phenomenon under a Steering Committee, a programme on the socio-economic reinsertion of children in street situations, and the study undertaken in 2003 on children in street situations. However, the Committee regrets that despite these measures, the number of children in street situations has increased and remains an urgent issue in the State party. The Committee also regrets that its previous recommendation in this regard was not sufficiently implemented and that children in street situations continue to suffer from various forms of violence and deprivation.

72. **The Committee reiterates its previous recommendation and urges the State party, inter alia, to:**

- (a) Implement in close cooperation with the children themselves, NGOs and other relevant institutions, the project to address the phenomenon of children in street situations and provide the Steering Committee with adequate human, technical and financial resources;
- (b) Develop and implement, with the active involvement of the children themselves, a comprehensive strategy with adequate resources to address the root causes, as well as define preventive and protective measures, and establish annual targets for the reduction of their numbers;
- (c) Support family reunification programmes or alternative care measures, and ensure they fully take into account the best interests of the child;
- (d) Ensure that children in street situations have access to education and are supported to stay in school, and provide them with adequate health services, shelter and food, bearing in mind the specific needs of girls;
- (e) Seek support from NGOs and other organizations, establishing clear guidelines for action in this area.

#### **Sexual exploitation and abuse**

73. The Committee welcomes the approval of the National Plan to Combat Trafficking and Sexual Exploitation in July 2009 and notes that the 2005 Act on Trafficking in and Smuggling of Children criminalizes sexual exploitation and that measures have been

adopted to prevent sexual exploitation of children in the context of tourism. However, the Committee is concerned that despite these measures sexual exploitation of children continues in the State party and there is no information on the prosecution of perpetrators.

**74. The Committee calls upon the State party to continue its efforts to combat sexual exploitation of children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996, 2001 and 2008 World Congresses against Sexual Exploitation of Children, as well as the outcome of other international conferences on this issue. It further recommends that the State party:**

- (a) Effectively implement existing legislation, policies and programmes on the sexual exploitation of children;**
- (b) Take appropriate measures to prosecute perpetrators of sexual offences against children;**
- (c) Ensure that child victims of sexual exploitation are not criminalized or penalized;**
- (d) Prioritize recovery assistance and ensure that education and training, as well as psychological assistance and counselling, are provided to child victims;**
- (e) Train law-enforcement officials, social workers, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner that respects confidentiality.**

#### **Sale, trafficking and abduction**

75. The Committee welcomes the adoption by the State party of the 2005 Act on Trafficking in and Smuggling of Children. However, the Committee is concerned at the continuing trafficking of children and reported cases of abduction of children. It also regrets the low level of enforcement and implementation of the anti-trafficking law, as well as the lack of data and remedial actions taken by the State party.

**76. The Committee urges the State party to:**

- (a) Effectively strengthen and implement the anti-trafficking law as well as the National Participative Action Plan on Child Trafficking and Exploitation;**
- (b) Ensure that perpetrators of child trafficking are brought to justice without delay;**
- (c) Carry out awareness-raising activities in order to make both parents and children aware of the dangers of trafficking;**
- (d) Collect adequately disaggregated statistical data on child trafficking and use such data in developing and strengthening national policies and programmes.**

#### **Helpline**

77. The Committee notes with concern the lack of a helpline which is an important tool for children to seek assistance in critical situations.

**78. The Committee urges the State party to establish a three digit toll-free 24-hour helpline available for all children at all levels, national, regional and local. It further recommends that the State party promote awareness as to how children can access the helpline and provide the necessary human, technical and financial resources for the effective functioning of the service.**

**Administration of juvenile justice**

79. The Committee welcomes the entry into force in 2007 of the Penal Procedure Code which takes into account the relevant international standards on administration of juvenile justice. The Committee notes with interest the February 2009 decree which calls for the establishment of the alternative detention centre for minors in Douala and the completion of the minors' quarters at the New Bell Prison in Douala. Nevertheless, the Committee is deeply concerned at:

- (a) The fact that children and adults are not separated in prisons despite Penal Code provisions which call for their separation;
- (b) The inadequate number of judges and courts;
- (c) Long periods of pretrial detention, inadequate and insufficient health-care services for children in prisons and the limited resources allocated to them;
- (d) The low legal age of criminal responsibility at 10 years;
- (e) The limited social services and counselling available for children in courts, in particular in cases of rape or abuse;
- (f) The fact that social workers in the courts are insufficiently trained.

80. **The Committee urges the State party to further improve the juvenile justice system, through the establishment of juvenile courts and the appointment of trained juvenile judges and ensure that the juvenile justice system fully integrates and implements international juvenile justice standards, in particular articles 37 (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules) and the Committee's general comment No. 10 (2007) on children's rights in juvenile justice. In particular, the Committee recommends that the State party take the necessary steps to:**

- (a) **Raise the minimum age of criminal responsibility to 12 years, at least;**
- (b) **Take preventive measures in order to help eliminate the social conditions which lead children into contact with the criminal justice system;**
- (c) **Provide sufficient specialized courts in all the regions, with trained specialized judges and staff, including prosecutors, lawyers, law enforcement officials and social workers, in particular those dealing with children victims of exploitation, rape and other abuse;**
- (d) **Develop alternatives to the deprivation of liberty, such as probation, mediation, community service orders, or suspended sentences, wherever possible;**
- (e) **Ensure that young offenders, when in pretrial detention have rapid access to juvenile justice procedures;**
- (f) **Provide children deprived of their liberty with adequate and sufficient health-care services;**
- (g) **Ensure that children are always separated from adults in all detention facilities, including in police cells;**
- (h) **When establishing additional alternative detention mechanisms, allocate the necessary human, technical and financial resources to them;**

- (i) Seek technical assistance and other cooperation from the United Nations Interagency Panel on Juvenile Justice, which includes UNODC, UNICEF, OHCHR and NGOs.

#### Protection of witnesses and victims of crimes

81. The Committee recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims (e.g children victims of abuse, domestic violence, sexual and economic exploitation, abduction, sale, trafficking) and/or witnesses of such crimes, are provided with the protection required by the Convention and that it take fully into account the 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).

#### Children belonging to indigenous groups

82. The Committee welcomes the signing on 13 September 2007 of the United Nations Declaration on the Human Rights of Indigenous People by the State party. It also takes note of the continuous efforts of the State party to improve the situation of disadvantaged indigenous children, particularly in the areas of education, social welfare and health, and the initiative to develop a law on the rights of indigenous peoples. The Committee appreciates especially the measures taken to raise awareness of HIV/AIDS among indigenous communities and to ensure access to birth registration for indigenous children including those belonging to Bororo, Baka, Bakola and Mafa communities. However, the Committee is concerned at the absence of legislation guaranteeing the rights of indigenous children and at the continuing discrimination and marginalization of indigenous children, in particular those living in remote areas of the country, including Bororo and Baka from the eastern part of the country.

83. The Committee recommends that the State party strengthen efforts to enhance the situation of indigenous children and in particular:

- (a) Adopt a law on the rights of indigenous people and ensure that it fully integrates the definition of indigenous people as enshrined in the United Nations Declaration on the Human Rights of Indigenous Peoples, and takes account of the Committee's general comment No. 11 (2009) on indigenous children and their rights under the Convention;
- (b) Increase implementation and systematic monitoring of programmes for indigenous children, ensure that they respect their culture in accordance with article 30 of the Convention, and respond adequately to their needs by, inter alia, intensifying cooperation with indigenous communities and their leaders to find suitable solutions for indigenous children;
- (c) Ensure the participation of indigenous children in the planning, implementation and evaluation of plans and programmes that concern them;
- (d) Ensure that indigenous children, in particular adolescents, are provided with information which is relevant to their needs and interests, especially in the field of education, job opportunities and prevention of sexually transmitted diseases;
- (e) Address the geographical disparities in the protection of indigenous children's rights with particular attention to Bororo, Baka, Bakola and Mafa children living in remote areas;
- (f) Ensure the full participation of civil society, NGOs and children in the design and implementation of programmes and policies to fulfil the rights of indigenous children;

(g) Seek technical assistance and cooperation, inter alia from UNICEF, OHCHR and ILO, particularly with regard to the elaboration of a draft law on the rights of indigenous groups.

## **9. Ratification of international human rights instruments**

84. The Committee urges the State party to accelerate the ratification of the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict, as recommended in its previous recommendation.

85. The Committee encourages the State party to ratify the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of all Persons from Enforced Disappearance.

## **10. Follow-up and dissemination**

### **Follow-up**

86. 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 members of the Council of Ministers, the National Assembly, local governments and the Supreme Court, where applicable, for appropriate consideration and further action.

### **Dissemination**

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

## **11. Next report**

88. The Committee invites the State party to submit its third, fourth and fifth periodic report by January 2015. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Committee.

89. 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).

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