



Convention on the Rights of the Child

Distr.: General
22 June 2010

Original: English

Committee on the Rights of the Child

Fifty-fourth session

25 May - 11 June 2010

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

Concluding observations: Grenada

1. The Committee considered the second periodic report of Grenada (CRC/C/GRD/2) at its 1516th and 1518th meetings (CRC/C/SR. 1516 and 1518), held on 31 May 2010, and adopted, at the 1541st meeting, held on 11 June 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/GRD/Q/2/Add.1) and also appreciates the constructive dialogue held with the high-level delegation led by the Minister of Social Development.

B. Factors and difficulties impeding the implementation of the Convention

3. The Committee notes that Hurricane Ivan (. 2004) and Hurricane Emily (2005) caused significant damage in the State party, impacting on the entire population and recognizes that these natural disasters, along with the current global financial crisis, have been significant obstacles to the implementation of the Convention.

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

4. The Committee welcomes the ratification by the State party of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (May 2004).

D. Main areas of concern and recommendations

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

The Committee's previous recommendations

5. The Committee welcomes efforts by the State party to implement the Committee's concluding observations on the State party's initial report. Nevertheless, the Committee notes with regret that many of these concluding observations have not been significantly addressed.

6. **The Committee urges the State party to take all necessary measures to address those recommendations it made in its concluding observations on the initial report that have not yet been implemented or sufficiently implemented, in particular on discrimination, harmonization of legislation, corporal punishment and juvenile justice, and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second periodic report. 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

7. With the exception of the Ombudsperson Bill, the Committee notes that a number of bills on issues related to child rights exist; however these bills have not yet been passed. The Committee regrets that the Convention has still not been integrated into national legislation. It is also concerned that there are insufficient human and material resources to draft legislation and to implement legislation that has been passed.

8. The Committee urges the State party to take, as a matter of priority, all appropriate measures to expedite the adoption of the Status of the Child Bill, the Childcare and Adoption Bill, the Domestic Violence Bill and the Juvenile Justice Bill and to ensure adequate human and financial resources for full implementation of the provisions of these laws when adopted.

Coordination

9. The Committee notes that the State party assigned the Ministry of Social Development to coordinate and implement child rights-related activities with other ministries and non-governmental organizations. However, given the multiple roles played by staff of the Ministry of Social Development due to a severe shortage of human resources, the Committee is concerned that there is no entity to specifically focus on coordination between the different ministries and between the national, provincial and local levels, as well as on the harmonization of national policies and plans of action related to child rights.

10. **The Committee recommends that the State party enhance coordination and implementation of the Convention by establishing a national coordinating body that could develop a national plan of action and institutionalize and strengthen coordination.**

National Plan of Action

11. While noting that issues on children are included in the country's National Development Plan and in Departmental Plans, the Committee regrets that the State party

does not have a comprehensive and specific National Plan of Action to address all of the children's issues covered by the Convention.

12. **The Committee encourages the State party to adopt a national plan of action on children with clear targeted and time-bound objectives that fully addresses the rights of the child enshrined in the Convention, and takes into account the outcome document "A World Fit for Children" adopted by the United Nations General Assembly at its special session on children held in May 2002 and its mid-term review of 2007. The Committee also recommends that the State party provide a specific budget allocation and adequate follow-up mechanisms for full implementation of the plan and ensure that it is equipped with an evaluation and monitoring mechanism to regularly assess progress achieved and identify possible deficiencies.**

Independent monitoring

13. The Committee notes that an Ombudsman has now been appointed to monitor the implementation of human rights. However, the Committee is concerned that it is unclear whether the Ombudsman's mandate will explicitly cover the implementation of child rights, including receiving and investigating individual complaints from, and on behalf of, children on violations of their rights.

14. **The Committee recommends that the State party ensure that the newly appointed Ombudsman is provided with the necessary human and financial resources to independently carry out tasks assigned and is given the mandate to monitor the implementation of child rights and to receive individual complaints from or on behalf of children in this regard. The Committee also recommends that the State party ensure that the office of the Ombudsman has been established in accordance with the Paris Principles, and the Committee's general comment No. 2 (2002) on national human rights institutions.**

Allocation of Resources

15. The Committee notes with regret that there is no identifiable budget for children. The Committee is concerned that there are insufficient resources for the protection of children's rights and that the State party relies mainly on donor funding, which may not be sustainable, for its social protection measures and programmes.

16. **The Committee urges the State party to find sustainable domestic sources through which sufficient and appropriate resources for measures and programmes related to the implementation of child rights can be obtained. The Committee urges the State party, taking into account the Committee's recommendations issued after the day of its general discussion of 21 September 2007 devoted to "Resources for the rights of the child - responsibility of States", to prioritize and increase budgetary allocations for children. The Committee further recommends that the State party introduce budget tracking from a child right's perspective with a view to monitoring budget allocations for children, seeking technical assistance for this purpose from, inter alia, UNICEF.**

Data collection

17. The Committee reiterates the concern expressed in its previous concluding observations (CRC/C/15/Add.121, para. 8) at the lack of a system of data collection and analysis in the State party to provide systematic and comprehensive desegregated quantitative and qualitative data for all areas covered by the Convention in relation to all groups of children, in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

18. **The Committee recommends that the State party take the necessary steps to establish a central system for comprehensive data collection incorporating all the areas covered by the Convention. The State party should ensure that information collected contains up to date data on a wide range of children in vulnerable situations, including children with disabilities, children living in poverty, children in the juvenile justice system, children of single-parent families, victims of sexual abuse, and institutionalized children. The Committee also recommends that the State party seek technical assistance from, inter alia, UNICEF.**

Dissemination and awareness-raising

19. The Committee notes that dissemination of the Convention and its principles has been carried out primarily by the Grenada National Coalition on the Rights of the Child and by other NGOs but it is concerned that dissemination has not been systematic.

20. **The Committee recommends that the State party ensure that dissemination is carried out systematically and appropriately so that all persons, including those working for and with children, those working in communication media, the general public and particularly children are made aware of the Convention and its principles. The Committee also recommends that human rights education, including child rights education, be integrated into the curriculum at all levels of education.**

Training

21. The Committee is concerned that there is insufficient training for professionals who work for and with children.

22. **The Committee recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, including teachers, law enforcement officials, health personnel, social workers, personnel of childcare institutions and those working in communication media.**

International cooperation

23. The Committee notes that the State party is heavily reliant on international cooperation for its social protection programmes.

24. **The Committee recommends that the State party, in negotiating international cooperation agreements, ensure that children's rights are taken into consideration. The Committee encourages the State party to use the concluding observations of the Committee for that purpose.**

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

Non-discrimination

25. The Committee notes with interest the development of a National Gender Policy and that activities aimed at discouraging discrimination take place in schools. However, recalling the concerns expressed in its previous concluding observations (CRC/C/15/Add.121, paras. 13 and 14), the Committee regrets that the State party's legislation has not been amended to also offer boys protection against sexual abuse and exploitation and that the minimum age of consent to sexual activity refers only to girls. The Committee also notes with concern that pregnant teenage girls are often requested to leave school and their return to school is left to the discretion of the school principals.

26. **The Committee urges the State party to amend its legislation in order to ensure that provisions referring to the minimum age of consent to sexual activity apply to both boys and girls and to ensure that the law provides equal protection for boys and girls against sexual abuse and exploitation. The Committee also encourages the State party to take all necessary measures to ensure that pregnant teenage girls have full and equal access to education without discrimination.**

27. **The Committee 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 as well as the outcome document adopted at the 2009 Durban Review Conference, taking into account general comment No.1 (2001) on the aims of education.**

Respect for the views of the child

28. The Committee notes with interest the establishment of student councils as well as the organization by the Ministry of Youth of an Annual Youth Parliament and the creation of a Youth Arm of the Grenada National Coalition on the Right of the Child. The Committee notes with concern, however, that in judicial and administrative procedures the right of the child to be heard is not properly respected, in particular that of children under the age of 14, who must be found competent by a judge before they can give evidence. The Committee is also concerned that little has been done to increase the awareness of the general public, especially within the family, the community, school teachers and other professionals working with children, about the right of children to be heard.

29. **The Committee recommends that the State party continue and strengthen efforts to implement article 12 of the Convention and promote respect for the views of the child at any age in administrative and judicial proceedings. The Committee also recommends that the State party promote the participation of children and respect for their views in all matters that concern them in the family, school, other children's institutions and the community. The Committee encourages the State party to take into account, in its efforts, the Committee's general comment No. 12 (2009) on the right of the child to be heard..**

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

Name, Identity and Birth registration

30. The Committee reiterates its previous concern (CRC/C/15/Add.121, para. 16) that some children are still not being registered at birth and are not given a name until their baptism, which could be three or four months after their birth and regrets that no initiatives have been put in place to address this. Furthermore, the Committee is concerned at reports of the widespread practice whereby a baptism certificate must be presented before a child can be given a birth certificate. The Committee also notes with concern that the father's name is not put on the birth certificate unless he is present for the registration of the birth.

31. **The Committee recommends that the State party take the necessary measures to ensure that all children are registered at birth. The Committee also urges the State party to ensure that a baptism certificate is not a prerequisite for a birth certificate and that the name of the father is included on the child's birth certificate.**

Corporal punishment

32. While the Committee notes the State party's indication that the use of corporal punishment is discouraged in the 2002 Education Act and that the Standards for Childcare Homes prohibit the use of corporal punishment, it nevertheless recalls the concern expressed in its previous concluding observations (CRC/C/15/Add.121, para. 21) and is concerned that corporal punishment remains lawful in the home, that authorized persons in schools are permitted to administer corporal punishment as a disciplinary measure and that corporal punishment is a sentencing option in the judicial system.

33. **The Committee recommends that the State party explicitly prohibit by law all forms of violence against children, including corporal punishment, in all settings, including in the family, schools, alternative childcare and places of detention for children, and implement those laws effectively. It also recommends that the State party intensify its awareness-raising campaigns in order to change perceptions regarding corporal punishment and promote alternative forms of discipline in a manner consistent with the child's human dignity and in accordance with the Convention, especially article 28, paragraph 2. The Committee encourages the State party to 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 and the Report on Corporal Punishment and Human Rights of Children and Adolescents prepared by the Office of the Rapporteur on the Rights of the Child of the Organization of American States.**

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

34. **The Committee encourages the State party to prioritize elimination of all forms of violence against children. With reference to the United Nations Study on Violence against Children, the Committee recommends that the State party:**

(a) **Take all necessary measures to implement recommendations of the United Nations Study on violence against children (A/61/299), taking into account the outcome and recommendations of the Caribbean Regional Consultations (held in Port of Spain, Trinidad and Tobago from 10-11 March 2005). In particular, the Committee recommends that the State party pay particular attention to the following recommendations:**

- (i) **Prohibit all forms of violence against children;**
- (ii) **Promote non-violent values and awareness-raising;**
- (iii) **Enhance the capacity of all who work with and for children;**
- (iv) **Ensure accountability and end impunity;**

(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) **Seek technical cooperation in this respect from the Special Representative of the Secretary General on violence against children, OHCHR, UNICEF and WHO, and other relevant agencies, inter alia, ILO, UNESCO, UNHCR, UNODC, as well as NGO partners.**

4. 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

35. The Committee welcomes the existence of programmes providing training for young adolescent mothers and young parents. The Committee notes with interest that the Ministry of Social Development implements a national parenting programme. The Committee further notes that the Status of Children Bill makes provisions for maintenance of children of common law marriages and visiting families and for the presumption of paternity, granting both parents joint custody of the child. The Committee also notes that over 70 per cent of children in the State party are born to unmarried mothers and, while it acknowledges the State party's efforts to strengthen the role of fathers, it expresses concern that many fathers still do not take on their parental responsibilities.

36. The Committee recommends that the State party continue and strengthen its parental education efforts, including by holding on a regular basis family education and awareness programmes covering a wide range of issues pertinent to parenting. The Committee further recommends that the State party have a particular focus on education and awareness programmes promoting the role and responsibilities of fathers.

Children deprived of a family environment

37. The Committee welcomes the development of a Code of Standards for the operation of childcare homes and the training programmes available for social and welfare workers. The Committee also notes with interest that in the next few months the State party will be taking over the foster care programme, which up to now has been supported by foreign aid, and will, inter alia, launch a drive to recruit more foster carers. Nevertheless, the Committee is concerned that the limited availability of childcare homes places a strain on the system with regard to the number of children that can be provided with care. The Committee also notes with regret that there is no independent complaints mechanism for children in alternative care.

38. The Committee encourages the State party to continue its efforts to improve and strengthen the foster care programme in order to ensure that children who must be taken out of their family environment can be placed in appropriate care situations. The Committee also recommends that the State party develop independent complaints mechanisms for children in alternative care and that placements in institutions be periodically reviewed, as required under article 25 of the Convention. The Committee urges the State party, in its effort, to take into account the Guidelines for the Alternative Care of Children (United Nations General Assembly resolution /64/142).

Abuse and neglect

39. The Committee notes that the Ministry of Social Development has strengthened its measures to combat child abuse through the development of a National Child Abuse Protocol, as well as the carrying out of advocacy efforts, including the designation of a Child Abuse Awareness and Prevention Month, the publication of a child abuse handbook, educational sessions at school and community level and media programmes and discussions on child abuse to support the protection of children against abuse. The Committee also notes that the Domestic Violence Act 2001 addresses violence that occurs within the household but it regrets that this Act has been utilized almost exclusively for female adult victims of domestic violence. The Committee is concerned that protection of children

against abuse and neglect is insufficient and that mandatory reporting, as provided for under the National Child Abuse Protocol is not being enforced. It is also concerned that the Ministry does not have a sufficient number of social workers to respond to the demand placed upon it or adequate personnel to provide counseling for victims and perpetrators of child abuse.

40. **The Committee encourages the State party to take the necessary steps to ensure implementation of the National Child Abuse Protocol, including mandatory reporting of abuse of children. The Committee further recommends that the State party continue to take all necessary legislative, policy and other measures in order to address and prevent violence, abuse or exploitation of children and to care for and reintegrate child victims of abuse. In this regard, the Committee urges the State party to ensure that adequate and sufficient human and financial resources are provided to allow the Ministry of Social Development to properly implement its programmes to combat child abuse.**

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

Children with disabilities

41. The Committee notes with interest the work of the Task Force on Special Education established in 2002 by the Ministry of Education and the development of the Strategic Plan for Educational Enhancement and Development (2006-2015). It also notes other initiatives and programmes to assist children with disabilities, including the existence of two schools for special education in Grenada, of Itinerant Teacher programmes targeting visually impaired and hearing impaired children and of the dedication of a Month of Awareness for persons with disabilities. Nevertheless, the Committee is concerned that access to education for children with disabilities is limited and that the Itinerant Teacher programme covers only a limited proportion of the children with disabilities who could benefit from its services. Furthermore, recalling its previous recommendations (CRC/C/15/Add.121, para.) the Committee regrets that no early identification programmes to prevent disabilities have been developed.

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

- (a) Take all necessary measures to ensure the implementation of legislation providing services for children with disabilities;**
- (b) Continue and further strengthen its programmes and services for children with disabilities, including through the development of early identification programmes, the broadening of its Itinerant Teacher Programme to cover all children with disabilities in need of its services. In this regard, the State party should ensure that such services receive adequate human and financial resources;**
- (c) Continue, strengthen and broaden training for professional staff working with children with disabilities, such as teachers, medical, paramedical and related personnel and social workers; and**
- (d) Proceed with the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.**
- (e) Take into account 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.

Health and access to health services

43. The Committee notes with appreciation the good health indicators for infant mortality, neonatal mortality and maternal mortality. The Committee notes with interest the Maternal and Child Health Programme, which works with mothers in the pre- and post-natal stages to facilitate safe and healthy delivery of babies and promote proper weaning practices among mothers. However, the Committee is concerned that the exclusive breastfeeding percentages are very low, particularly for children over the age of three months. The Committee also notes with concern that sickle cell anemia is a major health issue in the State party.

44. The Committee recommends that the State party continue its programmes to encourage proper weaning practices and that it take steps to encourage exclusive breastfeeding until the age of six months and to further implement the International Code of Marketing of Breastmilk Substitutes. The Committee also recommends that the State party implement as soon as possible its planned strategy to address the issue of sickle cell anemia. The Committee encourages the State party to consider seeking technical assistance from UNICEF and WHO, among others.

Adolescent health

45. While noting that initiatives are being taken in the area of adolescent health, primarily with regard to HIV/AIDS, recalling its previous concluding observations (CRC/C/15/Add.121, para. 22), the Committee nevertheless expresses concern regarding the limited availability of programmes and services and the lack of adequate data in the area of adolescent health. The Committee reiterates its previous concern at the high level of early pregnancies, and also regrets the lack of initiatives to develop adolescent-friendly health care, counseling and rehabilitation facilities and the lack of access for adolescents to confidential health services. The Committee also expresses concern that persons under the age of 16 must have parental consent in order to have access to contraceptives, a practice that may hinder the prevention of early pregnancies.

46. The Committee recommends that the State party increase its efforts to develop and implement programmes and services, including child-friendly and confidential health care, rehabilitation and counselling, in the area of adolescent health and to obtain valid data on adolescent health concerns through, inter alia, studies on this issue. The Committee also recommends that the State party elaborate clear policies and, when applicable, legislation, addressing the prevention of adolescent health-related issues, including early pregnancies, and the facilitation of access to contraceptives. The Committee encourages the State party to take into account the Committee's general comment No.4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child.

HIV/AIDS

47. While the Committee notes the State party's indication that a National Policy on HIV/AIDS was adopted in 2007 and that HIV/AIDS prevention and care services are to be a major component of the national reproductive health services and to be incorporated into primary health care programmes, it remains concerned that the prevalence rate of the disease has continued to rise over the past years. The Committee is also concerned that young people are not fully aware of how HIV/AIDS can be spread and of methods of prevention (e.g. use of condoms). The Committee regrets that there is a low level of acceptance of persons with HIV/AIDS and of certain safe sex preventive methods.

48. **The Committee urges the State party to take measures to reduce HIV/AIDS infection in its territory, particularly with regard to young people through, inter alia:**

(a) **Continuing and strengthening its National Policy on HIV/AIDS in order to ensure care and support for children infected or affected by HIV/AIDS;**

(b) **Ensuring that the public, particularly young people, receive information and materials on prevention and protection methods relating to HIV/AIDS, including safe sex practices;**

(c) **Continuing activities aimed at raising awareness about HIV/AIDS, including activities aimed at eliminating the stigma associated with HIV/AIDS.**

(d) **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,**

Right to an adequate standard of living

49. While the Committee notes with appreciation the adoption of the Waste Management Act in 2001, it is concerned that no regulations have been developed to provide for enforcement of the Act. Recalling its previous recommendations (CRC/C/15/Add.121, para. 24), the Committee is very concerned about the continuing use of pit latrines by 36 per cent of households and disposal of untreated liquid waste in the sea.

50. **The Committee recommends that the State party take appropriate measures to ensure that all households are provided with, inter alia, adequate sanitation and waste disposal facilities and that no untreated liquid waste is disposed of in the sea.**

Environment and Climate Change

51. The Committee notes with concern that the State party, as a small island State, is subject to the worst effects of climate change and that this has a negative impact on all areas of the lives of children.

52. **The Committee urges the State party to be extremely conscious in the development of programmes and policies of the need to manage their environmental dimensions, with the cooperation of regional and international partners, in order to reduce to the maximum extent possible the negative impact of climate change. The Committee also encourages the State party to put in place natural disaster preparedness programmes.**

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

Education, including vocational training and guidance

53. The Committee notes with appreciation the high enrollment rates for primary schools, the introduction of School Attendant Officers responsible for encouraging school attendance on a regular basis and the adoption of the Education Act of 2002, which makes provisions for early childhood education, home education and special education and provides for a curriculum that, inter alia, prepares students for "the opportunities, responsibilities and experiences of adult life". The Committee notes that full access for all students to secondary education has been implemented in some Parishes and that a school feeding programme is available in all Government primary schools. However, the Committee regrets that:

- (a) Twenty-one per cent of enrolled students drop out of school before reaching grade five;
- (b) Despite increased enrollment rates, one child in six is not enrolled in secondary school;
- (c) While there is a high pre-school enrolment rate in the country, the action plan linked to the State party's Early Childhood Development Policy is not being systematically implemented;
- (d) That early childhood facilities are inadequately staffed and furnished;
- (e) There is a trend for children who are accused of crimes to be asked to leave school until the matter is resolved.

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

- (a) **Take steps to ensure equal access to education without discrimination, including for pregnant girls and children accused of crimes;**
- (b) **Take all necessary measures to ensure that children complete their schooling, taking concrete action to address the reasons behind non-completion of schooling;**
- (c) **Continue and strengthen efforts to address the high incidence of truancy and drop out rates of boys, particularly from secondary school;**
- (d) **Improve the quality of education by ensuring at the same time that teachers are well-trained and fully qualified;**
- (e) **Ensure that the Early Childhood Development Policy is fully implemented and that pre-school education facilities are provided with the necessary resources so that they are adequately staffed and furnished;**
- (f) **Strengthen the promotion of vocational education and training for children who drop out of primary or secondary school;**
- (g) **Take steps to ensure sufficient and adequate resources to implement a full school curriculum that addresses life skills, human rights and child rights;**
- (h) **Take into account its general comment No. 1 (2001).**

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

Economic exploitation, including child labour

55. The Committee welcomes the ratification by the State party of ILO Convention No.138 concerning Minimum Age for Admission to Employment and ILO Convention 182 concerning Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. While the Committee acknowledges the State party's indication almost no children under the age of 16 are working, the Committee nevertheless notes that the possibility remains for children under the age of 15 to be granted a license from the Ministry of Labour that would allow them to work. The Committee also notes that it is unclear if there are children under the age of 15 working without having acquired the necessary license.

56. **The Committee urges the State party to take all appropriate measures to protect children against economic exploitation and in particular to consider abolishing the Ministry of Labour work license for children under the age of 15. The Committee encourages the State party to seek technical assistance from ILO/IPEC in this regard.**

Sexual exploitation and abuse

57. The Committee expresses its deep concern that at least one-third of the child population is affected by sexual abuse, that incest is a significant problem and that it is rare for children to report when they have been abused, mainly due to fear of stigmatization. While recognizing that the Criminal Code does provide a certain degree of protection against sexual abuse and exploitation, the Committee nevertheless remains concerned that this protection is not sufficient. In particular, the Committee regrets that there is no protection for boys against “unlawful carnal knowledge” and that the concept of “carnal knowledge” is limited to sexual intercourse, thus excluding other acts of a sexual nature that could be equally traumatic and abusive. The Committee is also concerned that transactional sex and the “Sugar Daddy phenomenon” have become widespread.

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

(a) **Take immediate action to address the issue of sexual abuse, including incest, through inter alia, identification, detection, reporting, prevention and intervention services;**

(b) **Develop and strengthen appropriate legislative measures that provide full protection for both girls and boys against sexual abuse, including incest, and sexual exploitation;**

(c) **Take steps to raise awareness about the need to report sexual abuse and exploitation;**

(d) **Carry out programmes within communities to educate the public and families on the negative impact of sexual abuse or exploitation and to reduce the stigma attached to reporting sexual abuse or exploitation;**

(e) **Take appropriate measures to ensure the prompt prosecution of perpetrators of sexual offences against children;**

(f) **Implement appropriate policies and programmes for prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996, 2001 and 2008 World Congresses against Commercial Sexual Exploitation of Children, as well as the outcome of other international conferences on this issue.**

Administration of Juvenile justice

59. Recalling its previous concluding observations (CRC/C/15/Add.121, para. 12), the Committee is deeply concerned that the current minimum age of criminal responsibility is extremely low (7 years old). The Committee notes with concern that the number of juveniles committing offences has increased rapidly since 2007. The Committee notes that most of the sentencing of juvenile offenders is community service orders. The Committee also notes the current practice to designate two days a week as family court days in the Magistrate Court and the High Court but regrets the absence of a full-time family court and of judges and lawyers specialized in child rights. The Committee further notes that the “current judicial practice” is to not send children under the age of 16 to prison but rather to practice mediation and alternative sentencing options. However, it remains concerned that children between the ages of 16 and 18 are incarcerated and that these children are not

detained in separate facilities from adults. The Committee is also concerned that corporal punishment remains a part of the Criminal Code and is not explicitly prohibited in the Juvenile Justice Bill that the State party intends to adopt in 2010. The Committee notes with regret that no formal training has been made available for professionals involved with children in conflict with the law.

60. **The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 39 and 40 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) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules). In particular the Committee recommends that the State party, while taking into account the Committee's general comment No. 10 (2007) on the administration of juvenile justice :**

(a) **Raise the minimum age for criminal responsibility to a more internationally acceptable age;**

(b) **Take all necessary measures, including strengthening different forms of mediation, and extending it to all children, including those between the ages of 16 and 18, and strengthening the policy of alternative sanctions for juvenile offenders, to ensure that children, including those aged between 16 and 18 years, are held in detention only as a last resort and for as short a time as possible;**

(c) **Take all necessary measures to ensure that when detention is carried out, it is done so in compliance with the law and respects the rights of the child as set out under the Convention, and that children are held separately from adults in both pretrial detention and after being sentenced;**

(d) **Take all necessary measures to ensure that conditions in detention facilities are not contrary to the child's development and meet international minimum standards;**

(e) **Enact legislation to explicitly prohibit corporal punishment as a sentencing option in the judicial system;**

(f) **Take steps to improve the system of juvenile justice, including through the establishment of juvenile or family courts, and ensure that the system has adequate human and financial resources to allow it to function properly;**

(g) **Take the necessary steps to ensure that persons working with children in the justice system, juvenile judges, etc. receive appropriate training;**

(h) **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

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

8. Ratification of international instruments

62. The Committee encourages the State party to consider ratifying the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee also encourages the State party to consider ratifying the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the Convention on the Rights of Persons with Disabilities, as well as the International Convention for the Protection of all Persons from Enforced Disappearance, which it signed in 2007.

9. Follow-up and dissemination

Follow-up

63. 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 Parliament, local Parish Governments relevant ministries and the Supreme Court, when applicable, for appropriate consideration and further action.

Dissemination

64. 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, civil society organizations, youth groups, professional groups, the media and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

65. In the light of the recommendation on reporting periodicity adopted by the Committee and described in its reports *CRC/C/114* and *CRC/C/124*, and noting that the fifth periodic report of the State party is due within two years of the consideration of its second periodic report, the Committee invites the State party to submit a consolidated third to sixth periodic report on 4 June 2016 (i.e. 18 months before the date established in the Convention for the submission of the sixth periodic report). 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.

66. The Committee also invites the State party to submit a core document in accordance with the requirements of the common core document in the Harmonized Guidelines on Reporting, approved by the fifth Inter-Committee meeting of the human rights treaty bodies in June 2006 (*HRI/MC/2006/3*).