



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-fourth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Concluding observations: SURINAME

1. The Committee considered the second periodic report of Suriname (CRC/C/SUR/2) at its 1214th and 1215th meetings (see CRC/C/SR.1214 and 1215), held on 24 January 2007, and adopted, at the 1228th meeting, held on 2 February 2007, 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/SUR/Q/2/Add.1), and commends the frank and self-critical nature of both the report and the replies to the list of issues, which gave a better understanding of the situation of children in the State party. The Committee further notes with appreciation the constructive efforts made by the inter-ministerial delegation to provide additional information in the course of the dialogue.

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

3. The Committee welcomes the ratification by the State party of:

(a) ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, in April 2006;

(b) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in May 2002;

(c) Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, "Convention of Belém do Pará", in February 2002.

4. The Committee welcomes the finalization of the comprehensive Sector Wide Approach Plans (SWAPS) for the education, health, housing and agriculture sectors.

C. Principal areas of concern, and recommendations

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

Previous recommendations of the Committee

5. The Committee notes with appreciation that the State party provided a systematic overview of the follow-up actions to the previous concluding observations in its report and updated this in the written replies to the List of Issues. The overview shows that various follow-up measures have been taken but that a number of them, particularly in the area of legislation, remain outstanding. These include the discrimination of children belonging to vulnerable groups, the need for disaggregated data on children, the lack of budgetary resources dedicated to children, and the mandatory reporting obligations of abuse of children.

6. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial report that have not yet been implemented or sufficiently implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second periodic report.

Legislation

7. The Committee, while noting the various legislative efforts regarding children's rights, is deeply concerned at the very slow process of enacting and implementing legislative changes. There are many draft laws or amendments to laws that have not been submitted to Parliament. The Committee furthermore notes that the bill on hearing minors during court proceedings, as well as two bills on offences against public decency, were already referred to in the State party's initial report in 2000 as "ready for submission to the National Assembly" but have not yet been adopted.

8. The Committee recommends that the State party consolidate its efforts to bring domestic laws into full compliance with the Convention. It urges the State party to take, as a matter of priority, all appropriate measures to expedite the adoption of bills pending with Parliament and to submit as soon as possible the draft laws or amendments to Parliament for a speedy discussion and adoption of these legislative proposals. The Committee also recommends that the State party ensure adequate human and financial resources for the full implementation of laws when approved.

9. 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, taking fully into account the United Nations Guidelines on Justice in Matters

Involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex, of 22 July 2005).

Coordination

10. The Committee welcomes the establishment in 2001 of the National Child Rights Bureau with the mandate, inter alia, to coordinate the implementation of the Convention. The Committee also welcomes the decision of the State party to reactivate the National Commission on the Rights of the Child, which will take up a coordination, advocacy and monitoring role. The Committee notes with concern, however, that the National Child Rights Bureau does not currently have sufficient human or financial resources and that also the National Commission for the Rights of the Child may not have adequate financial and human resources. The Committee is also concerned that it is not clear how these two coordinating bodies are going to cooperate.

11. The Committee recommends that the State party implement its decision to reactivate the National Commission on the Rights of the Child as soon as possible and that it ensure by all means possible that both the National Commission on the Rights of the Child and the Child Rights Bureau have adequate financial and human resources to efficiently carry out their work. The Committee further recommends that the State party ensure that these two agencies cooperate with each other in order to establish the most effective coordination of the implementation of the Convention.

National Plan of Action

12. The Committee welcomes the finalization of the National Youth Policy Framework in 2000, the completion of the National Policy Plan for Children in 2001, and the development of the National Policy Plan for Children 2002 – 2006. The Committee also notes with appreciation the State party's intention to initiate a National Policy Plan for 2007 – 2011, which will take into account the best interests of the child.

13. The Committee recommends that the State party ensure that the National Policy Plan for Children 2007 – 2011 is adopted as a matter of priority and that it addresses fully all of 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. The Committee also recommends that the State party provide a specific budget allocation and adequate follow-up mechanisms for its full implementation. The Committee further recommends that the State party ensure that the plan of action is equipped with an evaluation and monitoring mechanism to regularly assess progress achieved and identify possible deficiencies.

Independent monitoring

14. The Committee welcomes the information that the State party will consider the establishment of an ombudsperson that will be an independent monitoring mechanism for the implementation of the rights of children and will have the mandate to receive and address complaints of violations of children's rights.

15. The Committee recommends that the State party establish as soon as possible an ombudsperson, or other independent body, for monitoring the implementation of the Convention on the Rights of the Child, in accordance with the Paris Principles (General Assembly resolution 48/134) and the Committee's General Comment No. 2 on national human rights institutions. Such a body should be able to receive and investigate complaints from, or on behalf of, children on violations of their rights and should be provided with the necessary human and financial resources. In this regard, the Committee recommends that the State party seek technical assistance from, inter alia, the United Nations Children's Fund (UNICEF) and the Office of the High Commissioner for Human Rights (OHCHR).

Allocation of resources

16. The Committee notes that the Government allocates funds from its budget to implement policies for children. It regrets, however, the unavailability of data on the allocation of budgetary resources to children, including those with disabilities, and expresses concern that there is no adequate budget tracking system in place for monitoring allocations for children. The Committee also shares the State party's view that budgetary allocations for social services are still inadequate, particularly because of the high percentage allocated for recurrent expenses.

17. With reference to its previous recommendations (CRC/C/15/Add.130, paras. 15 - 16), and in the light of article 4 of the Convention, the Committee urges the State party to prioritize and increase budgetary allocations for children at both national and local levels, to ensure at all levels the implementation of the rights of the child, and in particular to pay attention to the protection of the rights of children belonging to vulnerable groups, including children with disabilities, children infected with HIV and/or affected by HIV/AIDS, children living in poverty and those in remote areas. The Committee further recommends that the State party implement intended increases in budget allocations for non-recurrent expenses (programmes and services) and that it start 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

18. The Committee welcomes the establishment of the Child Indiciary Monitoring System (CIMS) and the yearly publication of its data. The Committee also notes with appreciation the development of the Children in Need of Special Protection (CNSP) monitoring system, which is a sub-system of CIMS, as well as other data- or information-collection systems. Nevertheless, the Committee notes that the data collected by the CIMS and the CNSP systems are not sufficiently disaggregated, particularly in terms of providing information on a wide range of vulnerable groups.

19. The Committee encourages the State party to continue to strengthen its data collection system as a basis for assessing progress achieved in the realization of child rights and to help design policies to implement the Convention. The State party should ensure that information collected, particularly through the CNSP system, contains data on a wide range of vulnerable groups including children belonging to minority or indigenous groups, children living in poverty and street children. The Committee also recommends that the State party seek technical assistance from, inter alia, UNICEF.

Dissemination, training and awareness-raising

20. The Committee notes with appreciation the efforts made by the State party in disseminating the Convention through, for example, awareness-raising activities, the development and distribution of materials related to the Convention on the Rights of the Child and the development of training programmes on the Convention. It welcomes, in particular the “Children as Promoters of Child Rights” project, also known as the Peer Education Project. The Committee is of the opinion, however, that training programmes have been targeted towards only a limited scope of professional groups working with children. The Committee also notes that there has been no incorporation of human rights and child rights into the school curricula.

21. The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular law-enforcement officials, teachers, including teachers in rural and remote areas, health personnel, social workers and personnel of childcare institutions. In this regard, the Committee recommends that human rights education be included in the official curriculum at all levels of education.

Cooperation with civil society

22. The Committee welcomes the acknowledgement by the State party of the complementary role played by civil society in providing certain types of public services and its promotion of this process in order to create a basis for increased community participation. Nevertheless, the Committee notes that non-governmental organizations (NGOs) are not yet involved as members in the State party’s coordinating body.

23. The Committee recommends that the State party further strengthen its collaboration with civil society and widen the scope of cooperation so as to ensure cooperation on a broad level in all areas related to the promotion and protection of the rights of the child. The Committee also recommends that the State party encourage the active, positive and systematic involvement of civil society, including NGOs in the promotion of children’s rights, including, their participation in the coordination of the implementation of the Convention and the follow-up to the concluding observations of the Committee.

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

24. The Committee welcomes the raising of the minimum age for marriage but remains concerned that a disparity between this minimum for boys and girls still exists.

25. With reference to its previous recommendations (CRC/C/15/Add, 130, paras. 19 - 24), the Committee reiterates its recommendation that the State party bring the minimum age of marriage for boys and girls to the same internationally acceptable level of age 18.

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

Non-discrimination

26. The Committee is concerned at the fact that discrimination against certain groups of children still exists in practice, particularly with regard to girls in general, children with disabilities, children living in poverty, children infected with HIV and/or affected by HIV/AIDS, and children belonging to ethnic minorities or indigenous peoples, recognizing the particular vulnerability of girls in these categories.

27. The Committee urges the State party to take adequate measures, including expediting the establishment of the Equal Opportunity Commission, to ensure the practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

28. 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, taking into account General Comment No. 1 (CRC/GC/2001/1) on the aims of education.

Best interests of the child

29. While some draft laws focus on guaranteeing the best interests of the child, the Committee is concerned that these laws have not yet been enacted and that the best interests of the child (art. 3) have still not been taken fully into account in the State party's legislation, policies and programmes relevant to children.

30. The Committee reiterates its recommendation that the State party take all appropriate measures, including expediting the adoption of draft laws in this regard, to ensure that the general principle of the best interests of the child is appropriately integrated in all legal provisions, as well as in judicial and administrative decisions, and in projects, programmes, and services that have an impact on children.

Respect for the views of the child

31. The Committee welcomes the activities of the National Youth Council. The Council advises the Government of Suriname on measures to be taken with respect to youth, and other measures taken to implement article 12 of the Convention, such as television and radio spots, a weekly child-rights radio programme and the draft bill meant to give effect to article 12 of the Convention. The Committee notes, however, that children are given little opportunity to express their views in the family, schools and the community.

32. The Committee recommends that the State party continue and strengthen its efforts to implement article 12 of the Convention and promote child participation. It recommends more specifically that the State party expedite the adoption of the bill on hearing children in court proceedings and ensure its full implementation, while paying special attention to the right of

the child under the age of 12 to express his or her views when capable of expressing them, and provide targeted training to that effect to judges and others involved in the legal procedures. The Committee also recommends that the State party promote the participation of children in all matters that concern them in the family, school, other children's institutions and the community.

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

Birth registration

33. The Committee welcomes the various measures taken to ensure birth registration and recommends that the State party continue and strengthen its efforts to register all children, with a special focus on children in the remote areas of the interior, including the opportunity for late registration free of charge

Torture and degrading treatment

34. The Committee notes with appreciation that the Department of Youth Affairs of the Ministry of Justice and Police contains a mechanism to investigate complaints of police brutality against children living or working in the streets, that training programmes in youth and moral matters have been organized for police officers and that the rights of the child are part of the curricula of the Suriname Police Academy. However, the Committee remains concerned at incidences of police brutality and the use of force against children in detention.

35. The Committee recommends that the State party continue and strengthen its training programmes for police officers in order to ensure that the provisions of the Convention are respected in all contact of the police with children.

Corporal punishment

36. The Committee welcomes the fact that corporal punishment is prohibited in schools by ministerial decree, that awareness-raising and sensitization activities have been conducted related to better parenting, that April has been declared national child abuse prevention month, and that pilot projects have been conducted to reduce corporal punishment in schools. Nevertheless, the Committee remains concerned that corporal punishment continues to be used in the schools, and is not prohibited in homes or alternative care contexts.

37. 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 juveniles, and implement those laws effectively. It also recommends that the State party intensify its awareness-raising campaigns in order to promote the use of 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, taking into account the Committee's General Comment No. 8 on the right of the

child to protection from corporal punishment and other cruel or degrading forms of punishment (CRC/C/GC/8 (2006)).

**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

38. While the Committee welcomes the Ministry of Social Affairs subsidy programmes for households below a certain income level, it is concerned that the financial provisions of such programmes are very low and do not cover all costs, particularly those of families caring for children suffering from HIV/AIDS. The Committee is also concerned that children of families in crisis situations (e.g. due to poverty), and particularly in female-headed households, may end up in care facilities or police detention facilities.

39. The Committee recommends that the State party take all necessary measures to render appropriate financial and other assistance to families in order to allow them to carry out their parenting obligations and responsibilities and to prevent children from being placed in institutions because of poverty-related problems of their parents.

Children without parental care

40. The Committee welcomes the various legislative and other efforts made to provide care and protection to children without parental care and shares the State party's concern over the high level of institutional care in the State party. The Committee is also concerned that the Division for Youth Care has functioned poorly over the past years owing to lack of qualified staff and budget cuts and that the shelter for girls has been closed since 1994. The Committee welcomes the increased awareness of minimum requirements among childcare institutions as a result of indicators of the Children in Need of Special Protection monitoring system. However, it regrets that no legal provisions have yet been made for the supervision and inspection of private institutions or for the periodic review of placement of children in institutions and that there is no independent complaints mechanism for children in alternative-care institutions.

41. The Committee recommends that the State party expedite to the extent possible the adoption of the bill to regulate social assistance for youth and take the necessary measures thereafter for its full implementation. The Committee urges the State party, while taking into account the recommendations of the Committee's day of general discussion on children without parental care (2005), to take all necessary measures, including the provision of adequate human and financial resources, to ensure that the Division for Youth Care is able to fulfil its mandate. The Committee further recommends that the State Party continue to implement and support training programmes for personnel in the field of alternative care, ensure effective supervision and inspection of private childcare institutions and establish an independent complaints mechanism for children in alternative-care institutions.

Foster care

42. The Committee notes that a revised law on registration of foster children has been drafted and is in the process of being approved. It also notes that the Foundation for foster care is currently developing a project to recruit more foster families. The Committee notes with concern that the *kweekjes* system of informal foster care continues although the draft law on registration of foster children incorporates this system of care and tries to make it more structured.

43. The Committee recommends that the State party expedite the adoption of the current draft pieces of legislation regarding foster care, ensure their full implementation and take other legislative measures in order to establish a foster-care system in conformity with the Convention which can be effectively monitored and evaluated and provide foster families with adequate financial and other support and training.

Adoption

44. The Committee notes that when revising the Suriname Civil Code, the State party indicated its intention to consider acceding to the Hague Convention on the Protection of Children and Co-operation in respect of Inter-country Adoption (1993).

45. The Committee recommends that when the State party is revising the Civil Code, it ensure that domestic and inter-country adoption is in conformity with article 21 and other provisions of the Convention. The Committee also recommends that the State party accede to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption (1993).

Violence, abuse and neglect

46. The Committee welcomes the establishment of the Child Abuse Prevention Network with the police as a participating agency and the fact that this Network has developed a strategic plan of action. The Committee notes with appreciation that the State party has undertaken studies on violence against children. It shares the State party's concern over the alarming increase in physical or sexual child abuse in the State party and the fact that adaptations to the legislation on sexual consent have not been approved, leaving children in a situation where they cannot be adequately protected. The Committee also shares the State party's concern over the shortage of alternative care and counselling services for abused children. The Committee welcomes the completion of the study on current legislation and practices relating to reporting child abuse by police, teachers, health workers and social workers. Nevertheless it remains concerned that no system exists for mandatory reporting of child abuse, maltreatment or neglect.

47. The Committee reiterates the recommendation made in its previous concluding observations (CRC/C/15/Add.130, paras. 39 - 40) that all appropriate measures be taken to introduce mandatory reporting of abuse, including sexual abuse, of children. The Committee further recommends that the State party take the necessary measures to reform legislation on sexual consent so as to provide children with adequate protection against sexual abuse, as well as the necessary measures to eliminate the shortage of alternative care and counselling services for children who have been abused and other vulnerable children.

48. With reference to the United Nations Study on violence against children, the Committee recommends that the State party:

(a) Take all necessary measures for the implementation of the overarching and setting-specific recommendations contained in the report of the independent expert for the United Nations Study on violence against children (A/61/299) while taking into account the outcome and recommendations of the Regional Consultations for the Caribbean (held in Trinidad on 10 and 11 March 2005);

(b) Use these recommendations as a tool for action in partnership with civil society, and in particular with the involvement of children, to ensure that every child is protected from all forms of physical, sexual and mental violence and to gain support for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse;

(c) In this regard, seek technical assistance from OHCHR, UNICEF and the World Health Organization (WHO).

6. Basic health and welfare

(arts. 6, 18 (para.3), 23, 24, 26, 27 (paras. 1-3) of the Convention)

Children with disabilities

49. The Committee welcomes the implementation by the State party of a public-awareness campaign aimed at the inclusion of children with disabilities, the training of health workers at under-five clinics to improve skills for early detection of growth and development abnormalities, and the provision of test kits (Von Wieggen sets) to under-five clinics and other relevant agencies. The Committee also welcomes the development of a lesson plan for teachers from primary schools to create awareness for the children at those schools regarding disabilities, the setting up of a multi-disciplinary team for referrals of children to special education, and the existence of parent associations to educate parents on how to deal with children with disabilities. The Committee notes that special education facilities are available at primary and secondary level. Nevertheless, the Committee expresses its concern at the continued absence of legal protection and lack of adequate facilities and services for children with disabilities.

50. In the 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 on the rights of children with disabilities (CRC/C/GC/9, 2006), the Committee recommends that the State party:

(a) Sign and ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol once open for ratification;

(b) Take all necessary measures, in particular the adoption of the Draft Law on Special Education, to ensure the implementation of legislation providing protection for children with disabilities;

(c) Make every effort to provide programmes and services for all children with disabilities;

(d) Intensify its awareness campaigns to sensitize the public to the rights and special needs of children with disabilities and further encourage their inclusion in society;

(e) Provide training for professional staff working with children with disabilities, such as medical, paramedical and related personnel, teachers and social workers.

Right to health and access to health services

51. The Committee notes with appreciation the introduction of the Integrated Management of Maternal and Child Health (IMMCH) strategy into the health system in Suriname. The Committee also notes with appreciation that primary health-care clinics and health-care centres in the interior of the country are free and welcomes actions taken by the State party in the areas of breastfeeding and nutrition, and in the training of health workers. The Committee notes with regret that the State party's mental health plan has not yet been implemented due to lack of human resources. The Committee also notes that there has been some evidence of reduction in malaria incidence but regrets that the full implementation of the action plan on malaria and the functioning of the Malaria Institute are hampered by a lack of funds. The Committee also notes with concern that the majority of children hospitalized because of malnutrition are from ethnic minorities. Furthermore, the Committee remains concerned about planning and management, human and financial resources in the health-care system. The Committee is also concerned about the attitude of health workers and the community vis-à-vis promoting the well-being of the child and the lack of preventive-care aspects, particularly in health-care systems in the interior of the country.

52. The Committee recommends that the State party continue to conduct training for health workers, particularly in the rural and interior regions, that it continue to actively promote breastfeeding, that it address the problem of malnutrition, with special emphasis on minority ethnic groups, that it take measures to ensure that children, in particular those under the age of five, sleep under mosquito nets impregnated with insecticide and that it ensure that its public-health institutions, including the Malaria Institute, receive adequate funding and resources to carry out their work. The Committee encourages the State party to consider seeking technical assistance from UNICEF and WHO, among others.

Adolescent health

53. The Committee notes with appreciation the national adolescent health and needs assessment implemented by the Basic Life Skills Committee in 2000, and the ongoing implementation of Multi-Agency Health and Family Life Education (HFLE) by the Basic Life Skills Programme. The Committee notes with interest that the National Youth Parliament has forwarded proposals to policymakers on, inter alia, the problem of suicide among young people, and youth tobacco use. Nevertheless, the Committee regrets the continuing lack of data and the limited availability of programmes and services in the area of adolescent health. The Committee also notes with concern that early pregnancy, arranged marriages, drug and alcohol abuse, and mental health concerns among teenagers are increasing rather than decreasing.

54. The Committee recommends that the State party, taking into account the Committee's General Comment No. 4 (CRC/GC/2003/4) on adolescent health and development in the context of the Convention on the Rights of the Child, increase its efforts to establish more programmes and services 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, in collaboration with relevant partners such as the National Youth Parliament, draw up clear policies addressing the prevention of adolescent health-related issues, in particular, suicide, drug and alcohol abuse, early pregnancies, and mental-health concerns.

HIV/AIDS

55. The Committee notes with appreciation the various activities that have been implemented over the past years by the National AIDS Programme and NGOs aimed at reducing stigma and discrimination, and at awareness-raising of human rights within the context of HIV and AIDS and other measures for the prevention and treatment of HIV/AIDS. However, the Committee is particularly concerned about the information that AIDS has become one of the leading causes of mortality among children below the age of 5 and that most children infected by HIV or affected by HIV/AIDS are placed in residential care facilities since there are no policies in place to strengthen the capacity of families and the community to provide care and support to these children.

56. The Committee urges the State party, while taking into account the Committee's General Comment No. 3 (CRC/GC/2003/3) on HIV/AIDS and the rights of the Child and the International Guidelines on HIV/AIDS and Human Rights, to take measures to reduce HIV/AIDS in its territory, particularly with regard to the young people through, inter alia:

(a) Fully implementing the National Strategic Plan on HIV/AIDS and continuing and strengthening implementation of the "Prevention of Mother to Child Transmission" programme;

(b) Finalizing the Ministry of Health special prevention programmes for young people in the age group 10 to 19 years so that implementation can begin without delay;

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

(d) Continuing activities aimed at reducing stigma and discrimination related to HIV/AIDS providing awareness-raising on human rights within the context of HIV;

(e) Disseminating information and materials to the public, particularly to women and girls, on prevention and protection methods, including safe sex practices.

Right to an adequate standard of living

57. The Committee notes that despite the State party's small population and large amount of natural resources, poverty remains high. The Committee welcomes the efforts of the State party along with NGOs and community-based organizations to provide shelter, food, and clothing to the persons living in poverty and the homeless. The Committee also takes note of initiatives and programmes by both the State party and civil society related to lower-cost housing.

58. The Committee recommends that the State party continue and strengthen the application of poverty-reduction strategies in order to provide economically disadvantaged

families with, inter alia, adequate shelter, food and clothing and to specifically assist children to have access to education and healthcare.

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

Rights to and aims of education

59. The Committee welcomes the fact that an adjustment of the maximum age for compulsory education has been incorporated into the draft amendment of the Law on primary education of 1960, creating a new maximum age of 14 years and eliminating the discrepancy with the minimum age to be legally employed. The Committee is encouraged by the finalization of the Sector Plan for Education, noting, however, that progress to date has been very slow. It also notes that a Law on Special Education has been drafted. It notes with concern that significant disparities exist in the quality and delivery of education between the coastal areas and the interior of the country and that a large number of primary schools in the interior are managed by teachers with limited training. While the Committee notes with appreciation the increased enrolment and completion rates in primary schools, it is nevertheless concerned at the significantly low primary school attendance rates of children living in the interior of the country, almost all belonging to indigenous and minority groups, and at the lack of early childhood education. The Committee also notes with concern the high number of children (especially boys) dropping out of schools, the outdated school curricula, and structural inefficiencies in the training of teachers at all levels.

60. The Committee recommends that the State party, taking into account the Committee's General Comment No. 1 (CRC/GC/2001/1) on the aims of education:

(a) **Reduce socio-economic and regional disparities in access to and full enjoyment of the right to education, and take specific measures to significantly reduce the high rates of dropouts;**

(b) **Expand access to early childhood education, particularly in the interior;**

(c) **Ensure that primary education is free of charge, and also of other (additional) costs, in order to guarantee that all children receive primary education;**

(d) **Improve the quality of education through increasing the number of well-trained and fully qualified teachers, particularly those recruited to teach in the interior, modernizing teaching and learning methods and reforming the curricula, inter alia in order to better orient education to the competencies needed for social and economic participation in a developing society;**

(e) **Provide vocational education and training, including for children who have dropped out of primary or secondary schools;**

(f) **Widen the scope of second-chance opportunities for children (especially boys) who have dropped out of school and teenage girls who have become pregnant.**

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

Children belonging to minorities and indigenous groups

61. The Committee is concerned that despite laws prohibiting discrimination on the basis of race or ethnicity, children belonging to indigenous or minority groups such as Amerindians and Maroons, are subjected to discrimination in, inter alia, access to education, health and public services.

62. **The Committee urges the State party to recognize and implement the rights of persons, including children, belonging to indigenous and minority groups and recommends that the State party undertake awareness-raising activities to address negative attitudes and prejudices towards children or people belonging to such groups. In particular, the Committee urges the State party to ensure that children belonging to indigenous or minority groups have equal treatment and access to education, health and other services.**

Street children

63. While the Committee notes that some research has been carried out on street children, it regrets, nevertheless, that little information has been provided by the State party on the situation of street children and that discussions to identify measures that can be taken to address the issue only mention placement of street children in institutions.

64. **The Committee recommends that the State party elaborate and implement concrete proposals and measures, in close cooperation with civil society, to address the issue of street children, including measures to provide the necessary support to families from which children are likely to end up on the streets, such as low-income or single-parent households.**

Economic exploitation, including child labour

65. While welcoming the ratification of ILO Convention No. 182 and the intention to establish a multidisciplinary committee to develop a plan of action, the Committee notes with concern the existence of child labour, particularly in its worst forms and that, in addition, it has both an ethnic (Maroon children) and a gender (boys) bias, particularly with regard to involvement in the worst forms of child labour. The Committee also regrets the lack of updated data on working children.

66. **The Committee urges the State party to ensure that the multidisciplinary committee to address child labour is set up and develops as soon as possible the policy plan to eradicate the worst forms of child labour and that the necessary human and financial resources are provided for the effective implementation of this plan, including the provision of support to civil society. The Committee also urges the State party to ensure that any policies, plans and legislation to address child labour, particularly in its worst forms, also provide effective protection for girls and children belonging to minorities or indigenous peoples. Finally, the Committee urges the State party to take concrete action to address the reasons behind child labour, including the creation of educational opportunities in the interior and support to low-income households. The Committee encourages the State party to seek technical assistance from ILO/IPEC in this regard.**

Sexual exploitation

67. The Committee is concerned that according to some recent studies a considerable number of children are victims of sexual exploitation. The Committee is also concerned over reports of rape of girls belonging to indigenous and tribal groups in regions where mining and forestry operations have been developed.

68. The Committee recommends that the State party:

- (a) Take appropriate legislative measures to address the issue of sexual exploitation;**
- (b) Ensure that child victims of sexual exploitation are not criminalized or penalized;**
- (c) Implement appropriate policies and programmes for the 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 and 2001 World Congress against Commercial Sexual Exploitation of Children.**

Juvenile justice

69. The Committee notes with appreciation that an Action Plan for Children has been formulated by the Ministry of Justice and Police and that a pilot project “alternative sanctions for youngsters” began in November 2006 for a period of one year. However, the Committee is deeply concerned that the Criminal Code of the State party does not contain a set of child-specific alternative and other measures and sanctions for children in conflict with the law. The Code of Criminal Procedure also does not provide specific rules for children in conflict with the law, e.g. regarding the involvement of a specialized juvenile judge or court, the involvement of parents, the provision of legal assistance and the duration of police custody (*inverzekeringstelling*) and pre-trial detention, which is the same for children and adults. The Committee is also concerned that judges have the discretion to sentence a child between the ages of 16 and 18 as an adult, that visitation rights for children are not explicitly laid out in the law and that the media often does not respect a child’s right to privacy. Finally, the Committee is concerned that, currently, girls, both in pre-trial detention and after sentencing, are placed with adult women in adult facilities or are either being sent back home without adequate provision for guidance and counselling or placed in alternative homes.

70. The Committee urges the State party to ensure that juvenile justice standards are fully implemented, 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”) 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 on the administration of juvenile justice (CRC/C/GC/10, 2007):

- (a) Take the necessary steps to ensure that the revised Penal Code, which raises the age of criminal responsibility to 12 years, is adopted without further delay and that this revision includes the introduction of alternative and other measures and sanctions and of rules of criminal procedure specifically for children in conflict with the law and in conformity with**

the Convention, and to ensure the abolishment of the rules providing judges with discretionary power to treat a child between the ages of 16 and 18 as an adult;

(b) Take all necessary measures, including adopting a permanent policy of alternative sanctions for juvenile offenders, to ensure that children 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 both in pre-trial detention and after being sentenced;

(d) Take all necessary measures to ensure that children are not ill-treated in detention and that their rights, including visitation rights, are not violated, and that cases involving juveniles are brought to trial as quickly as possible;

(e) Take all necessary measures, including, where appropriate, legislative ones, to ensure that the media respect the right of the child to privacy;

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

9. Optional Protocols to the Convention on the Rights of the Child

71. The Committee welcomes the signature by the State party of 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, and recommends that the State party ratify them as soon as possible.

10. Follow-up and dissemination

Follow-up

72. 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 or the Cabinet or a similar body, the Parliament, and to local governments and parliaments, when applicable, for appropriate consideration and further action.

Dissemination

73. 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 and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

74. The Committee invites the State party to submit its combined third and fourth periodic report by 30 March 2010. This is an exceptional measure due to the large number of reports received by the Committee every year. 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.

75. 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 Harmonised Guidelines on Reporting, approved by the fifth Inter-Committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).
