

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-seventh session
Pre-sessional Working Group
7 – 11 June 2004

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the initial report of
Antigua and Barbuda (CRC/C/28/Add.22)

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 5 August 2004:

A. Data and statistics, if available

1. Please provide disaggregated data (by gender, age groups, immigrant groups, islands) for the years 2001, 2002 and 2003 on the number and proportion of children under 18 living in the State party.
2. In light of article 4 of the Convention, please provide additional disaggregated data for the years 2002, 2003 and 2004, on budget allocations and trends (in absolute figures and percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention for the following areas:
 - a) education (different types of education, i.e. pre-primary, primary and secondary education);
 - b) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);
 - c) programmes and services for children with disabilities;
 - d) support programmes for families;
 - e) support for children living below the poverty line;
 - f) the protection of children who are in need of alternative care including the support of care institutions;
 - g) programmes and activities for the prevention of and protection from child abuse and child sexual exploitation and child labour;
 - h) programmes and services for street children and abandoned children; and
 - i) juvenile justice and the rehabilitation of juvenile offenders.
3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, immigrant groups, urban and rural areas) for the years 2001, 2002 and 2003 on the number of children:
 - a) separated from their parents;
 - b) placed in institutions;
 - c) placed with foster families; and

- d) adopted domestically or through inter-country adoptions.
4. Please specify the number of children with disabilities, disaggregated by gender, age, immigrant groups, for the years 2001, 2002 and 2003:
- living with their families;
 - in institutions;
 - attending regular schools;
 - attending special schools; and
 - not attending schools.
5. With reference to child abuse, please provide disaggregated data (by age, gender, immigrant groups and types of violations reported) for the years 2001, 2002 and 2003 on the:
- number of reports received per year; and
 - number and percentage of reports per year which have resulted in either a court decision or other types of follow-up.
6. Please provide disaggregated data (by gender, age groups, immigrant groups, urban and rural areas) for the years for the years 2002, 2003 and 2004 on:
- the enrolment, attendance and completion rates in percentages of the relevant group in pre-primary schools, in primary schools and in secondary schools;
 - number and percentage of drop-outs and repetitions; and
 - ratio of teachers to students.
7. Please provide disaggregated statistical data (by gender, age groups, immigrant groups, urban, and rural areas) on infant and child mortality, malnutrition, early pregnancy, sexually transmitted diseases (STDs) including HIV/AIDS, suicide, drug, alcohol and tobacco abuse for the years 2001, 2002 and 2003. Also, please provide numbers of health professionals working in the health care services for children.
8. Please provide appropriate disaggregated data (including by gender, age, immigrant groups and type of crime) for the years 2001, 2002 and 2003, in particular on the number of:
- persons under 18 who have allegedly committed a crime, reported to the police;
 - persons under 18 who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty;
 - detention for juvenile offenders (under 18) and their capacity;
 - persons under 18 detained in these facilities and minors detained in adult facilities;
 - persons under 18 kept in pre-trial detention and the average length of their detention;
 - reported cases of abuse and maltreatment of persons under 18 during their arrest and detention; and
 - persons under 18 tried and sentenced as adults.
9. With reference to special protection measures, please provide statistical data (including by gender, age, urban/rural areas) per year between 2001 and 2003 on the number of:
- children affected by sexual exploitation, including prostitution, pornography and trafficking;
 - children who received assistance in recovery and counselling;
 - children aged 14-16 who are employed, or working;

- d) children using narcotics and drugs, including marihuana.

B. General Measures of Implementation

1. Please indicate the status of the Convention in domestic law.
2. Please provide information on cases, if any, where the Convention has been directly invoked in courts.
3. Please indicate whether the State party intends to conduct a comprehensive review of all legislation, including any customary, regional or local law in the State, to ensure compatibility with the Convention.
4. Please provide information on the system of data collection and whether it covers all persons below 18 and all areas referred to in the Convention.
5. Please provide information on the institution in charge of the coordination of the implementation of the Convention, and update the Committee of any new initiatives or mechanisms that have been established to coordinate policies for children and to implement of the Convention.
6. Please provide information on the Child Protection Agency whose establishment was secured by the passing of the Child Protection Bill in 2003, including information on its mandate, its composition, and the resources made available to the Committee.
7. Please provide information on the Ombudsman's Office in Antigua and Barbuda, including its mandate, functions, resources made available to the Office, number of cases investigated and their outcomes, and provide specific information on cases involving children (e.g. number and nature of complaints filed by, or on behalf of children).
8. Please provide information on the implementation of the four-year strategic development plan which was designated for the period 2001-2004.
9. Please provide more detailed information on the Sexual Offences Act of 1995 and the extent to which it is accessible to, and has been used by, or on behalf of, children. The Committee would appreciate receiving information on complaints received and penalties imposed in cases of offences involving persons under 16. In addition, please indicate whether the State party intends to amend the Act so that more stringent penalties are enforced in cases of sexual offences involving persons under 16.
10. Please provide updated information on efforts to disseminate the Convention and the State party report.
11. Please provide updated information on efforts made to provide training, awareness on the Convention and on human rights in general, to teachers, social workers and other professionals working with/for children.
12. Please provide additional information on the cooperation between the State Party and the international community including non-governmental organisations, in the efforts to implement the Convention.

13. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Part II

Please provide copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

Part III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects and their scope.

Part IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee intends to take up during the dialogue with the State party. They do not require written responses. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Non-discrimination in general, including the Constitution whose non-discrimination provision contains no specific prohibition of discrimination on the grounds of age.
2. Implementation of the obligation for the best interests of the child to be a primary consideration for all actions concerning children (art. 3) and to assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting him or her, including in judicial and administrative procedures (art. 12).
3. Alternative care and efforts to expand foster care systems.
4. Child care services and facilities.
5. Corporal punishment in the family, schools, other institutions and the juvenile justice system, and child abuse and neglect.
6. Children with disabilities, and funding for facilities assisting them.
7. Lack of legislation prohibiting the sale and use of alcohol among children.
8. Lack of drug awareness programmes in secondary schools.
9. School drop-out rates, especially of boys
10. Re-integration into the school system of teenage mothers.
11. Sexual exploitation of children, including reporting mechanisms, investigations and the provision of counselling and recovery services for child victims.

12. Administration of juvenile justice, detention centres and reintegration services for juvenile offenders, in particular the placing of juvenile offenders in adult cells.
13. Proposed amendment (new Section 6A) to the Juvenile Act, Cap. 229 which enables the police to arrest and detain children who are found loitering after 10pm “without reasonable cause”.
