

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD
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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
Barbados (CRC/C/3/Add.45)

General measures of implementation (Arts. 4, 42 and 44 para. 6)

1. In light of information provided in paragraph 7 of the report, please indicate whether any study has been undertaken to review national legislation and its compatibility with the provisions and principles of the Convention on the Rights of the Child. Please provide further information on the measures taken to bring legislation and practice into line with the principles and provisions of the Convention.
2. Please indicate the status of the Convention vis-a-vis domestic legislation and the Constitution. Please also indicate whether the Convention can be invoked in courts and, if so, provide some examples.
3. With regard to information provided in the foreword section and paras. 10 to 12 of the report, please provide further information on the activities of the Child Care Board and indicate in what ways this mechanism ensures the coordination of the different ministries and organizations involved in the implementation of the principles and provisions of the Convention. Please further indicate if the Child Care Board is also monitoring the implementation of the principles and provisions of the Convention. Please also indicate its resources, both financial and human, as well as its constraints and difficulties in performing its functions.
4. Please provide information on the measures taken to develop mechanisms for the determination of appropriate indicators as well as the collection of statistical data and other information on the status of children as bases for designing programmes and policies to implement the Convention.
5. In light of the current economic recession and structural adjustment programmes, please indicate what consideration is being given to the social needs of children (health, education, etc.), especially those belonging to the most vulnerable groups (see para.4).
6. With regard to information provided in paragraph 2 of the report, please provide additional information about the implementation of article 4 of the Convention in regard to the allocation for economic, social and cultural

rights "to the maximum extent of (...) available resources and, where needed, in the framework of international cooperation" for the rights of the child.

7. In light of information provided in paragraphs 13 to 21 of the report, please provide further information on the measures adopted or envisaged to publicize the Convention, its principles and provisions among the adult population, including professional groups and community leaders as well as among children. Please indicate whether human rights education, including children's rights, is part of the school curriculum.

8. Please indicate what measures have been taken, or are planned, to train professional groups such as: judges, lawyers, law enforcement, army and custom personnel, civil servants, personnel working in institutions or places of detention for children, health personnel including psychologists and social workers, about the Convention on the Rights of the Child. In addition, please indicate what measures have been taken to raise awareness of Government officials, legislators, non-governmental organizations and the mass media, as well as the public at large including children themselves.

Definition of the Child
(Art. 1 of the Convention)

9. With regard to information provided in paragraph 37 of the report, please indicate if the State party envisages to raise the minimum age for criminal responsibility.

General Principles
(Arts. 2, 3, 6 and 12 of the Convention)

10. Please indicate to what extent the provisions of article 2 of the Convention are covered in domestic legislation with regard to all possible grounds for discrimination spelled out in that article, in particular in relation to gender, social status and disability. Please also indicate whether discrimination and disparities exist in practice, in particular on the grounds of gender, disability, and social origin.

11. In light of information provided in paragraph 59 of the report, please indicate what measures have been taken to raise the awareness of families, schools, communities and the public in general on the need to encourage children to exercise their participatory rights.

Civil Rights and Freedoms
(Arts. 7-8, 13-17 and 37 (a) of the Convention)

12. With regard to information provided in paragraph 52 of the report, please indicate if citizenship is transmitted only through the father.

13. Please provide information on the implementation of practical measures to ensure that children are protected from any kind of harmful information, including violence and pornography.

14. With regard to information provided in paragraph 68 of the report, please indicate whether corporal punishment may also be used in families and other institutions than schools. Please also indicate whether the State party envisages prohibiting by law all forms of corporal punishment.

15. Please provide further information on the occurrence of ill-treatment of children. Have specific programmes for the prevention, care and rehabilitation of ill-treatment of children and their families been developed? Do monitoring mechanisms function for the consideration of such violations? What resources

are allocated for this purpose? Are there complaints procedures which can be used by children themselves against such abuses ? Have any cases of ill-treatment of children been submitted to the domestic courts?

Family environment and Alternative Care
(Arts. 5, 18 paras. 1 and 2, 9-11, 27 para. 4,
20-21, 19 and 39 and 25 of the Convention)

16. Please provide additional information on single parent families, in particular female-headed families. Please provide data if available on marriage, common law unions and single parent families. What are the specific problems faced by these families? Which measures have been taken or are foreseen in order to assist them in their child rearing responsibilities? Are specific measures taken or foreseen in order to assist fathers in their responsibilities?

17. In light of information provided in paragraphs 87 and 88 of the report, please indicate what specific measures are being taken to safeguard the right of the child of divorced or separated parents to be in contact with both father and mother. Are the views of the child taken into account in matters relating to the right of visit in case of separation of the parents? Please provide data if available.

18. In light of the difficulties mentioned in paragraph 94 of the report, please indicate measures taken or foreseen to ensure recovery of maintenance for the child. In addition, please indicate what possibilities exist for a single parent living with a child to get financial support from the State if the ex-spouse is evading the payment of maintenance. Please provide data, if available, on maintenance and enforcement orders.

19. In relation to the issue of children deprived of a family environment, please further detail sections c and d of paragraph 97. Please further provide information on community placement. In light of the concerns raised in paragraphs 100 (foster parents) and 103 (residential care), please indicate which measures are taken or foreseen to address those issues. Please indicate whether decisions of placement are periodically reviewed and by which authority.

20. Please provide disaggregated data on the practice of national and inter-country adoptions. Please indicate whether the State party is planning to ratify the Hague Convention of 1993 on Protection of Children and Cooperation in Respect of Intercountry Adoption.

21. In light of information provided in paragraphs 116 to 123 of the report, please indicate whether any comprehensive research has been undertaken on ill-treatment of children, including corporal punishment, within and outside the family, including into social factors which influence such violations. Please provide updated information on measures taken or foreseen, such as information campaigns, for the prevention of ill-treatment, including sexual abuse, and the treatment and rehabilitation of victims. In light of information provided in paragraphs 121 and 122, please also indicate measures taken to overcome difficulties of reporting child abuse. Does the State party envisage the establishment of Family courts as proposed in paragraph 123?

Basic Health and Welfare
(Arts. 6 para. 2, 23, 24, 26 and 18 para. 3
and 27 paras. 1-3 of the Convention)

22. Please provide further information on the situation of children with disabilities living outside special institutions, including their access to education, training, health care services, preparation for professional life,

leisure possibilities and activities aimed at eliminating prejudice and social rejection of children with disabilities.

23. Please provide information on children infected with or affected by HIV/AIDS.

24. Please provide further information on the status of adolescent health. In particular, please provide updated information on teenage pregnancies and its consequences on access to education of girls, STDs, abortions and sexual education for teenagers. Please also provide data on suicides. Additionally, please indicate whether pregnant girls are stigmatized by their family.

25. In light of the information provided in paragraph 161 of the report, please provide further information on the impact of the Family Life Development Programme.

26. Please provide further information on the access to sanitation and water.

27. Please provide information on the incidence of poverty and homelessness as well as disaggregated data and measures to support poor families.

Education, Leisure and Cultural Activities
(Arts. 28-29 and 31 of the Convention)

28. Please provide additional information on the incidence of violence and drug abuse at school.

29. Please provide additional information on academic performances of children. Please also clarify the meaning of the terms *Atrained@* and *Antrained@* teachers used in the data provided in the annex to the report. Please provide information on the quality of education, training of teachers, available material, and indicate any shortage in these regards. Please also indicate measures taken or foreseen to encourage boys at school.

30. Please provide information on the implementation of article 31 of the Convention.

Special Protection Measures
(Arts. 22, 30 and 32-40 of the Convention)

31. Please provide further information on the practical implementation of existing legislation, in the light of articles 37, 40 and 39 of the Convention (see paras. 188 to 197), in relation to:

- a) the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- b) the possibility to have a prompt access to legal and other appropriate assistance, as well as for challenging the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and of having a prompt decision thereon;
- c) the right of the child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society;

- d) the right of the child not to be alleged as, accused of or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
- e) the right for the child to enjoy the following guarantees:
 - i) to be presumed innocent until proven guilty according to law;
 - ii) to be informed promptly and directly of the charges against him or her and, if appropriate, through his or her legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defense;
 - iii) to have the matter determined without delay by the court;
 - iv) not to be compelled to give testimony or to confess guilt;
 - v) if considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
 - vi) to have the free assistance of an interpreter if the child cannot understand or speak the language used.
- f) alternative measures to institutional care made available to deal with such children in a manner appropriate to their well-being;
- g) measures to ensure that every child concerned is duly informed about such guarantees.

32. Please indicate the measures undertaken or envisaged to prohibit the use of flogging as a sentence.

33. With regard to the situation of children deprived of their liberty, both in special institutions and in prisons, please provide additional information (see paras. 192 to 193 and 197) in particular on the following issues:

- the opportunities for the contact with families;
- the arrest and pre-trial detention;
- the separation of child detainees from adults;
- the way the conditions in Government Industrial Schools are monitored;
- the guarantees to ensure the periodic review of placement;
- the complaint procedures in cases of ill-treatment;
- the prohibition of life imprisonment;
- the education, health and social services facilities in these institutions and prisons.

34. Please provide information on the prosecution of the offence of misbehavior. Please also provide disaggregated data (e.g., gender) on the number of children prosecuted for this offence.

35. With regard to information provided in paragraphs 28 to 31 of the report, please provide additional information on the possibility to employ a child outside schools hours. Please indicate if the State party has undertaken any study on child labour and the economic exploitation of children, in particular at home and in the informal sector, such as domestic servants (paras. 201-202). Please also indicate whether the State party is considering acceding to ILO Convention No 138 regarding minimum age for access to work.

36. Please provide updated information on concrete measures, other than legislative, to combat the sale and use of drugs by children and to assist in their physical and psychological recovery, progress made and difficulties encountered. Please also provide information on alcohol abuse.

37. In light of information provided in paragraphs 211 to 219 of the report, please specify if any research has been undertaken to improve knowledge on sexual abuse and exploitation of children, including prostitution, pornography and incest. What measure have been undertaken or are envisaged to prevent and combat all forms of sexual exploitation? Please also indicate measures to rehabilitate child victims. Please further clarify the protection of children aged between 16 and 18 for sexual exploitation. Additionally, please indicate whether the State Party is developing a comprehensive plan of action taking into account the recommendations formulated at the 1996 Stockholm World Congress against Commercial Sexual Exploitation of Children.

38. In light of article 30 of the Convention, please provide further information on children belonging to minorities groups.