

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

Pre-sessional Working Group

31 January - 4 February 2000

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 Cambodia  
(CRC/C/11/Add.16)

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

1. With regard to information provided in paragraphs 1 to 11 of the report, please indicate whether a study has been undertaken to review all national legislation, particularly in the areas of juvenile justice, adoption, foster care, and birth registrations, in light of their compatibility with the provisions and principles of the Convention on the Rights of the Child. Please further indicate any other new legislation, in relation with the rights of the child, enacted since the submission of the report.
2. Please provide further information on the results of the coordinating and monitoring work of the Cambodian National Council for Children (CNCE), especially on how coordination is achieved with provincial and local authorities.
3. Please indicate measures taken to develop indicators and collect disaggregated data on the status of children, especially those belonging to vulnerable groups including children living and/or working on the streets; child victims of physical and sexual abuse; child victims of drug abuse; teenage mothers; children in conflict with the law; child victims of commercial sexual

exploitation; children with disabilities; and children belonging to ethnic minorities. Further, please describe the extent to which these indicators and data are currently used in the formulation of policies and programmes for the effective implementation of the Convention.

4. Please provide further information on the adoption, implementation and achievements of the National Plan of Action for Children (1998-2000) and explain how this Plan has been incorporated into the Socio-economic Development Plan (1996-2000). Please also provide additional information on the implementation of article 4 of the Convention with regard to the allocation “to the maximum extent of (...) available resources” for the rights of the child, especially in the areas of health, welfare, education and special protection measures.

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

5. Please provide further information on the legal age for sexual consent. Please also indicate whether the State party is envisaging establishing a legal minimum age for criminal responsibility.

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

6. Please provide further information on legislative and other measures undertaken to ensure that all children, under the jurisdiction of the State party, without discrimination of any kind, can enjoy the rights set forth in the Convention. Please provide further information on measures taken to eliminate traditional discriminatory practices against girls and children belonging to minority groups.

7. In light of articles 6 and 39 of the Convention, please provide information on measures taken to provide treatment and other assistance for the rehabilitation of child victims of previous armed conflicts. Please also provide information on measures taken to eliminate landmines planted in the State party’s territory which present a threat to the life of children.

Civil rights and freedoms  
(Arts. 7, 8, 13-17 and 37 (a))

8. Please provide further information on measures taken to ensure that every child is registered immediately after birth, including in relation to children belonging to Hill Tribe Peoples (Khmer Loeu), children belonging to internally displaced families, refugee children and children belonging to non-Khmer groups (e.g., children belonging to the Vietnamese minority).

9. Please indicate the measures adopted pursuant to article 7, paragraph 2, of the Convention to ensure the child’s right to acquire a nationality, in particular in cases where the child would otherwise be stateless.

10. Please provide further information on measures taken to prevent cases of police brutality and maltreatment and abuse of children.

Family environment and alternative care

(Arts. 5, 18 paras. 1 and 2, 9, 10, 27 para. 4, 20, 21, 11, 19, 39 and 25)

11. Please provide additional information on the monitoring of the situation of children placed in institutions or in alternative care and the difficulties faced by these institutions, as well as on the periodic review of placement of children living in institutions. Please explain whether the State party has envisaged enacting legislation on foster care, which is reported to take place in Cambodia.

12. Please provide information on the consideration given by law to parental responsibility, including the recognition of the common responsibilities of both parents in the upbringing and development of the child and the payment of maintenance fees.

Basic health and welfare

(Arts. 6 para. 2, 23, 24, 26 and 18 para. 3 and 27 paras. 1-3)

13. Please provide further information on the implementation of the National Health Policy, in particular on measures taken to improve primary and preventive health services at the provincial and local level. Please also provide further information about strategies taken to address the problem of maternal mortality rate, in particular, steps taken to increase awareness of the importance of antenatal care.

14. With regard to adolescent health, please provide further information on measures adopted by the State party to provide reproductive health information to children and adolescents, including information related to the prevention and care of HIV/AIDS and other STDs, both inside and outside schools. Please provide further information on measures taken to increase awareness on the negative effects of early marriages, which is reported to be widespread in the State party.

15. With regard to the State party's high number of children with disabilities, please provide further information on measures taken to implement the National Strategy on Disability and to promote the rehabilitation and social integration of these children. Please also provide information regarding existing legislation for the protection of children with disabilities.

Education, leisure and cultural activities

(Arts. 28, 29 and 31)

16. With regard to the State party's education system, please indicate measures taken to implement the provisions of the Convention regarding the State party's obligation to make primary education compulsory and free to all children. Please further indicate measures taken to provide adequate educational facilities; to ensure that there is a sufficient number of qualified teachers, textbooks and teaching materials in the school system. In particular, please provide further information regarding measures taken to ensure that the vulnerable groups identified in the report have access to education and on measures taken to encourage regular attendance at school and to reduce drop-out rates, especially of girls and of children belonging to non-Khmer groups.

Special protection measures

(Arts. 22, 30, 32-40)

17. In the light of article 22, please provide additional information on the measures taken, including legislative ones, to protect the rights of unaccompanied, asylum-seeking and refugee children. Please also provide information on measures taken to allow for the legal registration of births of children belonging to refugee families.

18. Please provide further information regarding measures taken to enact special legislation on children in conflict with the law, in particular that every child alleged as or accused of having infringed the penal law has at least the following guarantees, indicating, where relevant, additional guarantees provided to the child:

- (i) to be presumed innocent until proven guilty according to law;
- (ii) to be informed promptly (indicating any time-limit fixed by law) 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) not to be compelled to give testimony or to confess guilt;
- (iv) 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;
- (v) to have the free assistance of an interpreter if the child cannot understand or speak the language used;
- (vi) to have his or her privacy respected at all stages of the proceedings.

19. With regard to the situation of children deprived of their liberty, please provide additional information on the situation of children detained in places other than in the Youth Rehabilitation Centre (Phon-Penh) and the compliance with of articles 37, 40 and 39 of the Convention, in particular with regard to:

- separation of children from adults;
- pre-trial detention;
- opportunities for the contact with families;
- monitoring of the conditions in such institutions;
- guarantees to ensure the periodic review of placement;
- complaint procedures in cases of ill-treatment;
- education, health and other facilities.

Please also provide additional information on the existing alternatives to deprivation of liberty.

20. Please provide further information on measures undertaken to prevent and combat sexual abuse, trafficking and sexual exploitation of children, including prostitution, pornography and sex tourism. Please also provide further information on relevant bilateral, regional and multilateral agreements concluded or to which the State party may have acceded, including in the areas of judicial cooperation and cooperation among law enforcement officials to effectively prevent and combat illicit transfer, non-return and trafficking of children for sexual and other purposes. Furthermore, please indicate further information about the implementation of the five year National Plan Against Sexual Exploitation of Children launched in July 1999.

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