

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 Djibouti (CRC/C/8/Add.39)

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

1. In light of the recommendations adopted in the Declaration and Plan of Action of the World Conference on Human Rights, please indicate whether the State party envisages the withdrawal of the declaration made upon ratification of the Convention with a view to achieving conformity with the principles and provisions of the Convention.
2. Please clarify if any efforts have been made to carry out a thorough review of existing legislation in order to ensure its compatibility with the principles and provisions of the Convention.
3. Please provide information on the process followed to prepare the initial report and indicate which are the principal government bodies and agencies dealing with matters covered by the Convention.
4. Please provide information on NGOs concerned with children's rights and on the coordination and interaction of their work with governmental agencies.
5. Please provide information on the measures taken to improve the systematic collection of statistical data disaggregated by gender, ethnic group, rural or urban residence and other relevant categories with regard to all the areas covered by the Convention.

Definition of the child
(Art. 1)

6. With regard to the information provided in the report (paras. 18-27), please provide information on the minimum legal age for marriage, whether it differs for boys and girls, and in what cases this age can be lowered.

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

7. With regard to non-discrimination (paragraphs 28-29 of the report), please indicate whether measures have been undertaken to prevent and combat discrimination that occurs against girls and other vulnerable groups of children, such as children with disabilities, refugee children, children from minorities, children living and working in the streets or children living in rural areas.

8. With regard to respect for the views of the child (article 12 of the Convention), please provide further information on the ways in which this principle is reflected in domestic legislation and on the criteria that determine the legal effects of a child's views (for example, age or ability to formulate and express his/her views). What measures have been taken to sensitize adults in the family, at school and in the administrative and judicial systems to encourage children to exercise their participatory rights?

Civil rights and freedoms
(Arts. 7-8, 13-17, 37 (a) and 39)

9. In light of article 7 of the Convention, please provide information on measures taken and problems encountered to ensure the registration of all children at birth.

10. With regard to access to information (article 17 of the Convention), please indicate what measures the State party has undertaken to ensure the child has access to information reflecting a variety of sources and perspectives and which is accessible to all children. Please also indicate what measures exist to protect children from harmful materials (violence, pornography, etc.).

11. With regard to the information provided concerning the prohibition of torture during police custody and pre-trial detention (paragraph 50 of the report), please provide information on incidents of police brutality and maltreatment affecting children under 18 years of age. Please provide also information on any cases in which the "heavy penalties" for those violating the prohibition have been applied.

Family environment and alternative care
(Arts, 5, 18.1-2, 9, 10, 27.4, 20, 21, 11, 19, 39 and 25)

12. Please provide information on the incidence of child abuse within the family (or in institutions) and indicate what are the legal standards for the withdrawal of parental rights.

13. In light of the information given on child care facilities (paragraphs 88-91 of the report), please indicate if there are infants' homes for children from birth to age five (when they can be admitted to the two childcare facilities). With regard to the Mother and Child Centre (para. 89) and the National Association for Youth Welfare (para. 90), please describe the institutional arrangements in place to administer and supervise these two establishments. Please also indicate how many children do not have access to these childcare facilities for lack of space and what measures the State party envisages to adopt in order to provide all children with proper care.

Basic health and welfare
(Arts. 6.2, 23, 24, 26, 18.3 and 27.1-3)

14. In light of the information provided on the main programmes that have been set up for the health and development of children (paras. 68-79), please provide further information about effective measures taken and, if possible, statistical data on:

- (a) The actual implementation of the different programmes and the progress achieved, particularly regarding infant mortality and under-five mortality;
- (b) Teenage pregnancy, as well as traditional practices related to pregnancy and childbirth, and their consequences on maternal mortality;
- (c) Children infected with or affected by HIV/AIDS and STDs; please also indicate whether the State party envisages the setting up of a programme aimed at informing on, preventing, combating the transmission of HIV, at organizing HIV testing and at offering medical assistance to persons affected by HIV/AIDS;
- (d) The reform of the health system, the education of parents in terms of child health and nutrition, and the provision of free medical assistance and medical products;
- (e) The provision of adolescent-friendly health services, including programmes to deal with substance abuse (in particular for “khat”) and mental health;
- (f) The provision of care and services for children with disabilities;
- (g) The high rates of tuberculosis.

15. With regard to female genital mutilation (FGM) and to the information provided under paragraph 6 of the report, please indicate what criminal sanctions have been imposed for the medical or non-medical practice of the procedure and provide information on the impact of FGM on safe motherhood. Please also indicate whether the State party has envisaged any programme involving the local and national authorities as well as religious leaders and women’s groups to provide information about the harmful impacts of FGM on girls’ and women’s health.

Education, leisure and cultural activities
(Arts. 28, 29 and 31)

16. In view of the information provided in paragraphs 99-123 of the report:

- (a) Please provide further information on the substance and details of the State party’s educational policy, educational establishments at all levels and their numbers, the allocation of resources, both human and financial, and the quality of education;
- (b) Please provide gender-disaggregated data on school attendance at all levels of education and in all areas of education (rural and urban areas), drop-out rates and the level of

literacy reached by children after primary education. Please also indicate what steps the State party envisages taking to render primary education compulsory and take measures to encourage regular attendance at schools;

(c) Please provide further details on the implementation of the “education for girls” project (paragraphs 114-115 of the report);

(d) Please provide further information on international cooperation in the field of education and on the activities of local NGOs concerned with the education of children.

Special protection measures

(Arts. 22, 30, 32-40)

17. In view of the significant influx of refugees in Djibouti, please indicate whether there are procedures in place to determine the refugee status of children, including procedures for unaccompanied children, and what are the legal standards that protect the rights of refugees or displaced persons, as protected by the Convention Relating to the Status of Refugees and the 1967 Protocol, and article 22 of the Convention on the Rights of the Child. Please also provide for statistics on the number of refugee children and information on cooperation with UNHCR and NGOs and indicate whether the State party considers taking measures in order to provide refugee children with primary education and other services.

18. With regard to the protection of children during armed conflict, please indicate whether any programme for the rehabilitation of children who have been affected by the civil war has been implemented. Please also provide information on the situation in the north of the country regarding continuing civil tension and its impact on children. Please indicate also if children under 18 years of age are being recruited in Djibouti to participate in hostilities in the State party or in the region.

19. With regard to the administration of juvenile justice and the treatment of children in detention (paragraphs 137-143 of the report):

(a) Please provide further information on the laws, procedures and institutions specifically addressing juvenile offenders;

(b) Please provide further information on the use of arrest and detention as a method of last resort and for the shortest period of time;

(c) Please indicate whether the participation of a lawyer in court cases where a minor is appearing as the defendant is compulsory and whether the costs of counsel to defend that minor’s interests are covered by the State;

(d) Please provide information on the number of children within the justice system, their age, as well as the type and nature of crimes involving them;

(e) Please provide further information on the detention facilities: separation of juvenile and adult offenders, how the conditions of detention are monitored, and what educational, health and social services facilities are provided;

(f) Please indicate the number of children in detention, type and length of sentences, etc.;

(g) Please indicate how the rights of inmates are protected, including complaint and inspection mechanisms;

(h) Please provide further information on the measures taken to ensure contact between the child and his or her family;

(i) Please provide further information on the services for recovery and rehabilitation of juvenile offenders.

20. In light of the information on the economic exploitation of children (paragraphs 144-146 of the report):

(a) Please provide data on the number of children involved in the workforce, whether part or full-time and in the formal sector as well as in the informal sector;

(b) Please also provide information on children living and working in the streets, including their access to health, education and other services;

(c) Please provide further information on labour legislation which applies to children. Please indicate what are the restrictions established in order to protect children's health and development;

(d) Please indicate what measures have been envisaged or implemented for the effective monitoring of labour legislation regarding working children and if Djibouti envisages ratifying ILO Conventions No. 138 regarding minimum age for admission to employment and No. 182 on the Worst Forms of Child Labour.

21. In light of the information on sexual exploitation and sexual abuse (paragraphs 148-151 of the report), please indicate if there is data available on the sexual abuse and exploitation of children in order to assess the scope of the problem. Please provide information on how many girls, and of what age, are involved in prostitution, and whether there is any form of assistance and access to health and other services. Please indicate also if there are any effective programmes to eradicate child prostitution.
