

For participants only

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UNEDITED VERSION

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 Malta (CRC/C/3/Add.56)

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

1. With regard to the information provided in paragraph 20 of the report, please clarify the status of the Convention vis-a-vis the State party's domestic legislation. Please indicate what is the status of the draft Bill which aims to consolidate into one law all existing provisions related to children's rights.
2. In light of the Vienna Declaration of 1993, please explain if the State party has considered withdrawing its reservation to article 26 of the Convention. Please provide a copy of the State party's legislation on Social Security.
3. Please provide further information on the plans to create a Social and Family Welfare Council and the Central Social and Family Welfare Agency to strengthen the coordination and monitoring role of the Ministry of Social Welfare. Please also explain the participation of civil society in the monitoring and implementation of the Convention in the State party as well as in the process of elaboration of the State party's initial report.

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4. Please indicate what measures have been taken, or are planned, to train professional groups such as: judges, lawyers, law enforcement officials, army officials, civil servants including at the local level, 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, if any, recent developments in the efforts to raise awareness of Government officials, legislators, non-governmental organizations and the mass media, as well as the public at large including children themselves.

5. With regard to information provided in paragraph 27 of the report, please provide further information on the State party's welfare policy for children entitled "A Caring Society in a Changing World". Please provide additional information on the implementation of article 4 of the Convention in regard to the allocation "to the maximum extent of (...) available resources" for the rights of the child. Finally, please explain the impact of the current economic situation on the State party's policies, programmes and financial resources dedicated to the implementation of the Convention.

General principles

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

6. Please provide further information on the measures, including of a legislative nature, 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.

7. Please provide further information on the ways in which the principles of the best interests of the child (art. 3 of the Convention) and respect for the views of the child (art. 12 of the Convention) are implemented, in particular within the family environment, schools as well as in situations of separation from parents, placement in institutions and other forms of care, and asylum-seeking procedures.

Civil rights and freedoms

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

8. With regard to information provided in paragraph 111 of the report, please indicate whether the State party has prohibited by law corporal punishment in the family, at school and in other institutions. Please also indicate whether a child can file a complaint against his parents or guardians, and/or if special services exist to facilitate access to justice or to protect children victims of abuse.

Family environment and alternative care

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

9. With regard to information provided in paragraph 147 of the report, please indicate what is the status of the proposed plan to create a National Commission on Adoption and Fostering. Please also indicate whether Malta is considering becoming a State party to the Hague Convention of 1993 on Protection of Children and Cooperation in respect of Intercountry Adoption.

Basic health and welfare

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

10. Please provide information on children affected by or infected with HIV/AIDS and other STDs as well as measures taken for their protection and care. Please also provide further information on measures taken to provide reproductive health education. Please provide further information regarding the provision of health and counselling services for children with disabilities.

Education, leisure and cultural activities

(Arts. 28, 29 and 31)

11. Please provide further information on measures taken to encourage regular school attendance and to prevent bullying in school. In addition, with regard to the information provided in paragraph 264 of the report, please provide updated information on the measures taken to reform the national school curricula. Please also indicate whether the teaching of human rights has been included in the school curricula.

Special protection measures

(Arts. 22, 30, 32-40)

12. In the light of article 22 of the Convention, please indicate whether the State party has considered enacting legislation to protect the rights of unaccompanied, refugee and asylum-seeking children, including legislation regarding family reunification of refugees. Please also indicate measures taken to provide refugee children with access to education, health services and housing.

13. With regard to the information contained in the report about the administration of juvenile justice, please explain how the evolving capacity of the child is taken into account to determine when a child aged between 9 and 14 years may act with "*mischievous intent*". Please explain how alternative measures to the use of deprivation of liberty of children in conflict with the law are applied in the State party.

14. Please provide further information on measures taken to prevent and combat the employment of underage children in family businesses and tourism related activities. Please indicate whether the State party has considered ratifying the new ILO Convention No. 182 concerning the Prohibition and Immediate Elimination of the Worst Forms of Child Labour (1999).

15. Please provide further information, on measures undertaken, including legal ones, to prevent and combat sexual abuse, trafficking and sexual exploitation of children, including child prostitution, child pornography and sex tourism.
