

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD
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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the initial report of Thailand
(CRC/C/11/Add.13)

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

1. In light of the recommendations adopted in the Declaration and Plan of Action of the Vienna World Conference on Human Rights (1993), has the State party considered the possibility of reviewing its reservations to articles 7 and 22 to the Convention with a view of their withdrawal?
2. With regard to information provided in paragraphs 53 and 61 to 67 of the report, please indicate the current status of the envisaged revisions or new drafts. Please also indicate whether a study has been undertaken to review all national legislation and its 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, adopted since the submission of the report. Please indicate the impact of the newly adopted Constitution on the rights of the child.
3. Please provide further information on the Eighth National Social and Economic Development Plan (1997-2001) and its impact on children, the National Child and Youth Development Plan (CYDP) and the new National Education Plan.
4. Please provide further information on existing or foreseen mechanisms to coordinate child related activities between the local and central authorities. In addition, please provide further information on cooperation with non-governmental organizations and international agencies.
5. With regard to information provided in paragraphs 59, 137 and 142 of the report, please indicate whether the data base envisaged has already been set up, and if so, specify if it collects disaggregated data concerning the status of all children, including the most vulnerable groups, such as children belonging to minorities or indigenous communities, children living in poverty, children with disabilities, children born out of wedlock, children who are non-nationals, migrants, displaced, refugees or asylum-seekers, and children who are living and/or working on the streets. Please also indicate difficulties encountered in the collection and use of these data and

indicators for the design of policies and programmes for the effective implementation of the Convention.

6. Please provide further information on existing or foreseen mechanisms, both at central and local levels, for the monitoring of the implementation of the Convention. Please also indicate the current status of the draft National Children's Ombudsman Act (para. 67). Furthermore, in relation to the newly adopted Constitution, please indicate whether the National Commission on Human Rights has already been established.

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7. With regard to the information provided in paragraphs 12 to 14 of the report, please indicate what measures have been taken, or are planned, to train professional groups such as: judges, lawyers, law enforcement officials, army officials, custom officials, workers in refugee camps, 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, in particular in rural areas and in local languages.

8. Please provide additional information on the implementation of article 4 of the Convention in regard to the allocation ^{At}to the maximum extent of (...) available resources[@]for the rights of the child and on the impact of the current economic situation on the State party policies, programmes and financial resources dedicated to the implementation of the Convention.

9. Please indicate measures taken or envisaged to ensure wide distribution of the Convention and the initial report. Please also indicate whether those documents have been translated in any local language, and if they have been made available to professionals working with and for children as well as the public at large.

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

10. Please provide further information related to the minimum legal age for voluntary and mandatory military enlistment, deprivation of liberty of asylum-seeking and illegal immigrants children, giving testimony in court, lodging complaints and seeking redress before a court or other relevant authority without parental consent, including in case of abuse, giving consent to change of identity, having access to information concerning the biological family, legal capacity to inherit, to conduct property transactions, to create or join associations, and for alcohol consumption.

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

11. Please provide further information on the measures, including of a

legislative nature, to ensure the rights set forth in the Convention to each child under the jurisdiction of the State without discrimination of any kind, including children who are non-nationals, illegal immigrants, displaced, refugees or asylum-seekers.

12. Please provide further information on the specific measures adopted to prevent and reduce disparities, including between rural and urban areas, to prevent discrimination against the most disadvantaged groups of children, such as children belonging to minorities or indigenous communities, children living in poverty, children with disabilities, children born out of wedlock, children who are non-nationals, migrants, internally displaced, refugees or asylum-seekers, and children who are living and/or working on the streets.

13. In the light of paragraphs 120 to 122 of the report, please provide further information on the specific measures, in addition to awareness raising campaigns, to eliminate discrimination against girls.

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14. Please provide further information on the ways in which the principle of the best interests of the child (art. 3) is reflected in the legislation, in budgetary allocations, and in planning and development policies, inter alia, in adoption and divorce, in immigration, asylum-seeking and refugee procedures, in the placement and care of children in institutions, and in social security.

15. Please provide further information on legislative and other measures taken to ensure the right of the child to express views in a manner consistent with his or her evolving capacities, in particular in family environment, schools, situations of separation from parents, placement and life in institutions and other forms of care, and asylum-seeking procedures.

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

16. In the light of paragraphs 147 to 150 of the report, please further indicate measures taken or envisaged to ensure that every child is registered immediately after birth, including in relation to nomadic groups, hill tribes children and children belonging to indigenous groups, internally displaced children, as well as asylum-seeking, refugee children and children who are illegal immigrants. Please provide information on measures taken to sensitize and mobilize public opinion on the need for birth registration of children, and to provide adequate training to registry personnel, as referred in paragraphs 147 and 148.

17. 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.

18. With regard to article 19 of the Convention, please indicate whether the State party envisage prohibiting 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, both in urban and rural areas.

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

19. In the light of article 10 of the Convention, please provide information on the legal framework relating to family reunification, difficulties encountered and targets set for the future in this area. Please provide, if available, disaggregated data.

20. In the light of paragraph 224 of the report, please provide updated information on measures taken or foreseen to ensure the recovery of maintenance from the parents or other persons having financial responsibility for the child, both within the State and from abroad, including in cases of the separation or divorce of the parents, as well as factors and difficulties encountered.

21. Please provide additional information on the monitoring of the situation of children placed in alternative care, the difficulties faced by these institutions, as well as on the periodic review of placement. Please also provide disaggregated data, if available, on children concerned by such measures.

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22. Please provide information on the steps taken to prevent and combat the illicit transfer and non-return of children abroad, including legislative, administrative or judicial measures, as well as mechanisms established to monitor such situations. Please also indicate any bilateral or multilateral agreement on this subject and their impact, as well as progress achieved and the difficulties met with in countering such situations, together with relevant disaggregated data on children concerned if available.

23. Please provide further information and data on adoption, both national and intercountry. Please also indicate if the State party is considering becoming a State party to the Hague Convention of 1993 on Protection of Children and Cooperation in respect of Intercountry Adoption.

24. With regard to information provided in paragraphs 230, 231 and 255 to 260 of the report related to child abuse within the family, please provide updated information on the progress achieved and the difficulties encountered in the implementation of the proposed measures.

Basic health and welfare

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

25. In the light of paragraph 33 of the report, please provide further information on measures taken or envisaged to strengthen access to medical assistance and health care for all children, including adolescents, in particular those belonging to the most vulnerable groups, as well as measures adopted to reduce existing disparities, including those based on gender, age, ethnic and social origin.

26. In light of the information provided in paragraphs 326 to 329 of the report relating to the growing problem of HIV/AIDS, please provide updated information on children affected by or infected with HIV/AIDS and measures taken to assist them.

Education, leisure and cultural activities

(Arts. 28, 29 and 31)

27. Please provide further information on the measures adopted to ensure that children may be taught in local, indigenous or local languages.

28. Please provide disaggregated data on school attendance. Please also indicate steps taken to ensure that there are sufficient teachers in the school system, to enhance their competence, and to ensure and assess the quality of teaching, as well as on measures adopted to provide adequate educational facilities, accessible to all children, in particular those belonging to the vulnerable groups identified in the report. Please provide information on the rate of enrolment of children in literacy classes, including by age, gender, region, rural/urban area, and social and ethnic origin. Please also provide information on measures taken to encourage regular attendance at school and to reduce drop-out rates.

Special protection measures

(Arts. 22, 30, 32-40)

29. In the light of article 22, please provide additional information on the measures adopted to ensure and protect the rights of the unaccompanied child or of the child accompanied by his or her parents or by any other person, including in relation to temporary and long-term solutions, family tracing and family reunification. Please also specify the measures adopted to ensure

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appropriate dissemination of information and training on the rights of the child, particularly to the competent officials. Please provide further information on the number of such children going to school and covered by health services.

30. With regard to the information provided in paragraphs 390 to 411 of the report regarding juvenile procedures, please provide further information with

respect to article 40, paragraph 2, of the Convention ensuring in particular that:

- a) no child shall 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;
- b) 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.

Furthermore, please provide additional information on juvenile procedures in provinces where the Juvenile Justice system is not operational (para. 408).

31. In the light of article 37 (a), please provide further information on the prohibition of life imprisonment without possibility of release, in particular in relation to long term imprisonment sentences.

32. 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 the Observations and Protection Centres, which do not exist in every province and the compliance with the guarantees of articles 37 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, in particular with regard to illegal immigrants, as well as on the frequency with which these alternatives are used.

33. In the light of the information provided in paragraphs 413 to 421 of the report, please provide additional information on children deprived of their liberty and placed in Observations and Protection Centres, in particular with regard to regular contacts with families, special care for drug addicts, independent monitoring, as well as difficulties and constraints that they face. Please also provide disaggregated data on children placed in Observations and Protection Centres.

34. In the light of the information provided in paragraphs 435 to 446 of the report, please provide additional information on any national policy and multidisciplinary strategy developed to prevent and combat situations of economic exploitation. Please provide further information on any preventive and remedial action undertaken, including information and awareness campaigns, as well as education, and vocational training programmes, to address the situation of child labour both in the formal and informal sector, including as domestic servants, in agriculture or within private family activities. Please provide additional information on the relevant programmes of technical cooperation, including the International Programme for the Elimination of Child Labour (IPEC/ILO).

35. In the light of the information provided in paragraphs 447 to 457 of the report, please provide further information on measures adopted, including legislative, administrative, social and educational measures, to prevent the use of children in the production and trafficking of illicit substances, in particular in the Golden Triangle, as well as on any related bilateral and/or multilateral agreements. Please also indicate measures adopted or foreseen to raise awareness among youth, including at school, on the negative effects of drug abuse. In the light of article 39 of the Convention, please provide additional information on measures undertaken to assist children and their families, for their physical and psychological recovery and social reintegration of children concerned.

36. Please provide further information on measures undertaken to 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. Furthermore, please indicate whether the State party is taking into account the recommendations formulated in the Agenda for Action adopted at the 1996 Stockholm World Congress against Commercial Sexual Exploitation of Children.

37. In the light of the information provided in paragraphs 515 to 519 of the report, please provide further information on all measures, including legislative, to ensure that children belonging to hill tribes enjoy their culture and use their own language. Please also indicate measures adopted to ensure the preservation of the identity of children belonging to minority or indigenous groups, as well as measures adopted to prevent any form of discrimination and combat prejudice against them.