

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twentieth session

Pre-sessional Working Group

12 - 16 October 1998

IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the second periodic report of Yemen (CRC/C/70/Add.1)

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

1. Please provide further information on the extent to which the Committee's recommendations (see CRC/C/15/Add.47) were used in the preparation of the report and in the planning of programmes and policies since the initial report was examined. Please indicate which concrete measures have been adopted to implement the recommendations of the Committee, and provide also further information on progress achieved in this regard.
2. In light of the Committee's recommendation (see CRC/C/15/Add.47, para. 14), please indicate the progress achieved in bringing domestic legislation (e.g., Civil Code, Penal Code, Labour Code, etc.) in line with the principles and provisions of the Convention on the Rights of the Child.
3. With regard to information provided in paragraph 95 of the report, please indicate whether indicators have been developed and disaggregated data collected concerning the status of all children, (based on age, gender, urban and rural, and including the most vulnerable groups, such as children born out of wedlock, children with disabilities, children victim of any form of exploitation and children belonging to a minority group). What difficulties were 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?
4. In view of information on the establishment of the Yemeni Council for Maternal and Child Welfare, please provide further information on the way the Council functions concretely, especially with all Ministries involved in children's issues as well as with local authorities.
5. With regard to the implementation of article 4 of the Convention and to the Committee's recommendation (see CRC/C/15/Add.47, para. 20), please indicate progress achieved on the implementation and achievements of social programmes such as the National Population Strategy and the Social Security Network.
6. In light of the Committee's recommendation (see CRC/C/15/Add. 47, para.

17), please indicate what measures have been taken, or are planned, to train professional groups such as judges, lawyers, teachers, law enforcement and army personnel and officials, civil servants including at the local level, personnel working in institutions and places of detention for children, health personnel (including psychologists) and social workers, about the Convention. Please also indicate what measures are envisaged to raise the awareness on the rights of the child of Government officials, legislators, non-governmental organizations and the mass media, and the public at large including children themselves.

7. In view of the Committee's recommendation (see CRC/C/15/Add. 47, para. 18) to look for closer cooperation with non-governmental organizations, and in the light of the reference to the NGO Coordinating Commission on the Rights of the Child contained in the report (see CRC/C/70/Add. 1, para. 3) please provide more detailed information on progress achieved in this regard for the promotion and protection of children's rights, including concrete areas of action and cooperation with NGOs. Please also explain how non-governmental organizations are involved in the design and implementation of policies and programmes for children.

Definition of the child
(Art. 1)

8. With regard to the implementation of article 1 of the Convention and in light of the recommendation of the Committee (see CRC/C/15/Add. 47, para. 14) and the information in the report (paras. 6 and 7), please provide further clarification on the legal definition of majority in Yemeni legislation. Please provide further clarification especially on the minimum legal ages for marriage and criminal responsibility. Please indicate if there is a minimum legal age for sexual consent.

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

9. In light of the recommendations of the Committee (see CRC/C/15/Add. 47, paras. 19 and 20), and of the reference to Yemeni legislation in the report (see CRC/C/70/Add. 1, paras. 8-9), please further indicate how the legislation is implemented and what practical measures have been adopted or envisaged to prevent and combat discrimination against the most disadvantaged groups of children, such as orphan children, the girl child, children with disabilities, children born out of wedlock and children who are living and/or working on the streets.

10. In light of the concern and recommendation of the Committee (see CRC/C/15/Add. 47, paras. 6 and 14), please indicate progress achieved in the implementation of the principles of the best interests of the child (article 3) and respect for the views of the child (article 12). How are these principles reflected in legislation and in actions taken by social welfare institutions, courts of law and administrative authorities. Please also provide some examples of implementation of these principles by courts and/or administrative bodies.

11. Please provide further information related to the participation of children in the decision making process in all matters regarding the child, including in the school environment. In light of article 12 of the Convention, please indicate what progress has been made in sensitizing public opinion on the importance of the participatory rights of the child.

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

12. Please indicate if the State party has considered undertaking research on the issue of child abuse. Have any cases of ill-treatment been submitted to domestic courts? Is corporal punishment (within the family, in the schools, in institutions, within the juvenile justice system, etc) specifically prohibited by law, and if so, how is this law enforced?

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

13. With regard to the Committee's recommendation (see CRC/C/15/Add. 47, para. 16), please indicate to what extent the State Party has made any progress in providing for parental education in the performance of child-rearing responsibilities and whether there are other family counseling services. Please furthermore indicate the steps taken in the spirit of article 18 of the Convention to encourage the participation of both parents in the upbringing of their children.

14. With regard to information provided by the report (para. 58) concerning the practice of adoption, please provide further information on the laws, court procedures, policies and practice regulating national and intercountry adoption and their compatibility with the principles and provisions of the Convention, especially with article 21.

15. In light of article 39 of the Convention, please provide further information on the steps taken and/or envisaged to promote the physical and psychological recovery and social reintegration of children victim of any form of neglect, exploitation and abuse, including domestic violence and sexual abuse.

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

16. Please indicate what further measures have been taken or envisaged to reduce high infant and child mortality rates, especially in relation to the low access to clean water and sanitation, and malnutrition.

17. Please provide data and further information related to adolescent health, including teenage pregnancy, abortion, sexually transmitted diseases (STDs), HIV/AIDS, drug and substance abuse, and mental health problems, including suicide. What policies and programmes are in place or planned for the prevention of these problems and for the provision of care and treatment for persons under the age of 18?

18. Please provide information on harmful traditional practices, including female genital mutilation, in the State party. Please also indicate if the State party has implemented and/or envisaged measures to counter the harmful effects of this practice on girl children, and provide information on the effectiveness of any measures taken.

19. In light of the information provided in the report (para. 110) regarding the establishment of the National Committee for the Welfare of the Disabled, please indicate if the State party is envisaging to adopt specific legislative provisions for children with disabilities. In the light of the information on policies and programmes listed in the report (paras. 111-124) please provide further information on their effectiveness.

20. In light of the information provided by the Yemeni delegation during the examination of the initial report of Yemen (see CRC/C/SR. 263, paras. 43, 45, 50-51), please provide information on the results of the study carried out by the World Bank on the issue of children living and/or working in the streets. Please also indicate if the State party has implemented and/or envisaged

measures to prevent and combat this social phenomenon.

Education, leisure and cultural activities

(Arts. 28, 29, and 31)

21. Please further indicate what measures have been taken or envisaged to reduce high drop-out rates from the school system, to improve access to education in rural areas and low enrolment of girls in schools.

22. Please indicate measures undertaken and resources devoted by the State party for the implementation of article 31 of the Convention, especially in relation to children living in poor communities.

23. Please indicate what measures have been taken by the State party to comply with the provisions of article 29 of the Convention, and especially to include human rights education, especially the rights of the child, in the curricula of schools and universities.

Special protection measures

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

24. With regard to the Committee's recommendation (see CRC/C/15/Add. 47, para. 21) and in view of information provided in the report (para. 66), please indicate if the State Party has achieved any progress in adopting legislation for the protection of the rights of asylum seeking and refugee children.

25. With regard to the administration of juvenile justice, please provide additional information, in particular to the following issues:

- opportunities for children deprived of their liberty to keep contact with families;
- pre-trial detention;
- conditions in detention institutions and the way in which they are monitored;
- guarantees to ensure the periodic review of placement;
- complaint procedures in cases of ill-treatment;
- the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time.

26. In view of information provided in the report regarding the situation of child labour (para.87-88), please provide further details on the plans to formulate a national policy to prevent and combat economic exploitation and eliminate the most hazardous forms of child labour.

27. Please indicate if research to improve the understanding of sexual abuse and sexual exploitation of children, including incest, child prostitution, pornography, and abductions and trafficking of children has been undertaken or is considered. Please also 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.

28. In light of article 30 of the Convention and the information in your report (para. 92), please provide information on evidence (including statistical data) of the integration of children belonging to a minority in society (including access to social services), and on the practical implementation measures undertaken to promote and protect the rights of children belonging to minority groups.