



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-ninth session

16 January – 3 February 2012

### Implementation of the Convention on the Rights of the Child

#### List of issues concerning additional and updated information related to the third and fourth combined periodic report of Myanmar (CRC/C/MMR/3-4)

##### Addendum

##### Written replies of Myanmar\*

###### Part I

###### Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/MMR/Q/2-4)

1. In order to fulfil the provisions of the Convention on the Rights of the Child, the 1993 Myanmar Child Law is being reviewed and updated;
  - (a) The 1993 Child Law is currently reviewed for amendment and with regard to upgrading of the age and definition of child is being discussed;
  - (b) The minimum age of children exempted from penal action in the 1993 Child Law is also being discussed;
  - (c) The permission to work is accorded to a child is above the age of 13 years;
  - (d) There is no defined age limit for boys to enter into marriage;
  - (e) In Myanmar Customary Law, the girl under 20 years of age requires the permission of her parents or guardians to enter into marriage.

###### Reply to the issues raised in part I, paragraph 2, of the list of issues

2. As stated in the notification of the Republic of the Union of Myanmar 13/2011, (27 May 2011), the National Committee on the Rights of the Child has been formed with 16

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

members, chaired by the Union Minister for the Ministry of Social Welfare, Relief and Resettlement.

3. The duties and roles of the Committee are enacted in section 5 of the Child Law;
  - (a) Protecting and safeguarding the rights of the child;
  - (b) Giving guidance as may be necessary in order that the relevant government departments and organizations may implement effectively and successfully the provisions of the law;
  - (c) Cooperating and coordinating as may be necessary activities of government departments and organizations, voluntary social workers and non-governmental organizations relating to a child; reviewing from time to time the progress made;
  - (d) Obtaining assistance and cooperation of the United Nations organizations, international organizations, voluntary social workers or non-governmental organizations for the interest of the child;
  - (e) Giving guidance and supervision in obtaining donations and property from local and foreign voluntary donors and to enable effective utilization of such donations and property in the interests of children;
  - (f) Laying down and carrying out work programmes in order to take preventive measures against occurrence of juvenile crimes;
  - (g) Collecting data from relevant government departments and organizations and compiling the required reports and statistics;
  - (h) Reporting to the Government from time to time on the activities of the Committee;
  - (i) Carrying out functions and duties with respect to the rights of the child, as are assigned by the Government.
4. To ensure the rights enshrined in the Convention and to implement the activities country-wide, a working committee and nine Sub-committees have been reformed again on 15 August 2011 such as Legal affairs, Health, Education, Protection, Information, Awareness, Funding and Finance, Sport and Monitoring and Evaluation Sub-Committees.
5. The Education Sub-committee is implementing such activities; ensuring that all children enjoy the right to compulsory primary education; training children with respect ethics and disciplines; nurturing children in the practice of their own language, literature, culture, belief system and tradition;
6. The Sub-committee also ensures that all children enjoy the right to participation in sports and cultural activities; promotes school enrolment and reduces the school dropout rate.
7. It also provides non-formal education opportunities at a primary level for those children who had dropped out; prevents children from using psychotropic substances and drug abuse, and gambling.
8. The Health Sub-committee is systematically implementing the following projects and activities:
  - Project on immunization, treatment, lactation, nutrition, iodination, school health, family health, reproductive health;
  - -Project for reducing the traditional practices which are hazardous to health;
  - Project for reducing the child mortality rate;
  - Project for a healthy child; mother and child health care;

- Project on Anti-narcotic Drugs and HIV/AIDS.
  - Collaboration between the respective organizations for nurturing healthy practices.
9. The Protection Sub-committee is working to prevent beggar children, working children, street children, and children facing family problems from committing crimes. Moreover, the following activities are implemented by the Protection Committee:
- Survey to obtain statistics on children in need of protection and care in the townships;
  - Promoting income generation for those families facing hardship; through discussions with the parents and guardians; group discussion and job placement for those children whose parents are not in a position to care for them; sending the children to institutions in cases where alternative care is not available; providing temporary care for those children who are in conflict with the law in the townships where temporary care stations are not available; facilitating the discussions between the working children and their employers;
  - Providing assistance to and collaboration with the training centres for children, shelter homes, youth homes; child counselling; providing assistance to the voluntary organizations in establishing children homes; awareness- raising and educating the parents and guardians regarding the provisions prescribed in the Child Law; identifying and providing systematic care to the vulnerable children and their mothers.;
10. In aspiring to fully achieve the rights of the children, the National Committee on the Rights of the Child works hand in hand with the concerned GOS, NGOs, United Nations Agencies, INGOs and social welfare organizations.
11. The Amyotha Hluttaw has established the National Committee on the Rights of Children and Women on 22 August 2011 under its article 24 and Rule 79. On 5 September 2011, the Pyithu Hluttaw pursued and formed the National Committee for the Protection of Women and Children with 15 members under its articles 24 and 25.

**Reply to the issues raised in part I, paragraph 3, of the list of issues**

12. The Ministers for Social Affairs have been assigned at the respective regions and states through the First Meeting of Pyithu Hluttaw as the authorization in their hand. These Ministers take the responsibilities of the Chairmen of Regions/States Committee on the Rights of the Child and also take measures on child rights in their respective regions/states. Moreover, the Ministers have been independently carrying out the measures on prevention, protection and rehabilitation by using their local resources.
13. The District, Township Committees on the Rights of the Child are being continually formed under the management of the States/Regions Ministers for Social Affairs. According to paragraphs 7, 9 and 11 of the Rules related to the Child Law, the mandates and responsibilities of the Committees at all levels are enacted.
14. The mandates and responsibilities of the Committees are: to protect and implement the rights of the child; cooperating and coordinating as may be necessary activities of government departments and organizations; voluntary social workers and non-governmental organizations relating to the child; laying down and carrying out work programmes in respective regions and states in order to take preventive measures against the occurrence of juvenile crimes; obtaining assistance and cooperation of voluntary social workers and non-governmental organizations for the interests of the child.
15. Regarding the health sector, health departments have set up at State and regional level, district level and township level up to village level since the outset of the health

system development, and mesoplan and microplan have been formulated based on the local needs to implement health activities. Now, there are State and regional health ministers and they have led the implementation of health activities within their jurisdiction.

**Reply to the issues raised in part I, paragraph 4, of the list of issues**

16. The four sectors -- health and nutrition, water and sanitation, education and early childhood care, and development and child protection -- prescribed in the Myanmar National Plan of Action for Children (2006-2015) have been implemented by the Union Justice Supreme Court, Union Attorney Office, Ministry of Home Affairs, Ministry of Social Welfare, Relief and Resettlement, Ministry of Health, Ministry of Education, Ministry of Border Affairs, Ministry of Labour, and the Myanmar Police Force through the State budget. Such measures are also being contributed with resources including manpower, technical and financial assistance by United Nations agencies, INGOs and NGOs.

17. The Department of Social Welfare in cooperation with the United Nations Children's Fund (UNICEF) has conducted awareness-raising workshops on Convention on the Rights of the Child through mobile teams since 2007 covering 17 regions and states, 38 Districts and 178 Townships. The respective Committees on the Convention have the mandates and responsibilities in implementing the promotion and protection of the rights of the child using available resources of the country.

18. In implementing the rights of the child, the Monitoring and Evaluation Committee has carried out the assessment of the accomplishment of the activities. It is coordinating with government departments and non-government departments to obtain necessary information, matrix and data and then reporting to the National Committee on the Rights of the Child.

**Reply to the issues raised in part I, paragraph 5, of the list of issues**

19. In conformity with the National Health Policy, Developing Alternative Financing Mechanisms for Health Programme is developed in the Health System Programme Area of the National Health Plan (2006-2011) to explore alternative means for financing health in looking for national health development.

20. The Government will be annually rising budgetary allocation and exploring and developing alternatives available to attain universal coverage. It plans to carry out a Feasibility Study on Township-Based Micro Health Protection for Social Health Protection. In light of the results of these projects, a Township-Based Health Protection Scheme will be commenced in one pilot township not only with the contribution from national and international donors but also with the regular investment of every household with the objective of poverty reduction due to medical care.

21. Moreover, according to the result from a Feasibility Study on Maternal and Child health Voucher Scheme: Demand Side Financing, this voucher scheme will not only enable greater investment for health but also support the fulfilment of the Millennium Development Goals of reducing maternal mortality and child mortality. The Government has allocated the following amount of budget yearly; (47214.9) million Kyats for the financial year 2006-2007, (48747.3) million Kyats for 2007-2008, (51443.4) million Kyats for 2008=2009, (64001.2) million Kyats for 2009-2010, (77394.7) and million Kyats for 2010-2011.

22. In the higher education sector, there are 161 universities and colleges in Myanmar, out of which 64 colleges and universities are under the Ministry of Education and other 97 colleges and universities are under 12 concerned Ministries. In the Basic Education sector, 41272 basic education schools are under the supervision of the Ministry of Education, in 2009-10 FY, total education expenditure if 352584 million Kyats which is 4.42 per cent of

total government expenditure. In the education sector, the education budget is increased yearly.

23. In 2011, the new Government adopted a 10-point education policy. The education expenditure will be used significantly more than before. In accordance with the education policy, a free, compulsory primary education system is being initiated in 2011-12 AY. By the implementation of free, compulsory primary education system, the Government provided text books worth 2087 million to all primary school students free of charge.

24. In 2012-13 AY, a programme for the provision of scholarships, stipends and awards for both locally and internationally will be implemented. The programme budget is 1089.9 million Kyats for scholarships and stipends for both basic and higher education sectors.

25. The participation and contribution of the private sector in education services is under process of consideration; the private school registration law (bill) has been submitted to the Hluttaw for scrutinizing. Arrangements are being made for undertaking 13 points education tasks in rural region in line with eight tasks of rural development and poverty alleviation.

**Reply to the issues raised in part, I, paragraph 6, of the list of issues**

26. The Constitution of the Republic of the Union of Myanmar (2008) states that the Union shall care for mothers and children, orphans, the children of fallen Defense Services personnel, the aged and the disabled. The protection activities have been carried out in accordance with these provisions.

27. According to the section 16(a), relevant Government departments and organizations shall provide protection and care in accordance with law in order that no child shall be subjected to arbitrary infringement of his honour, personal freedom and security. Furthermore, persons having responsibility in respect of the affairs of children shall have as their objective the best interest of children under the principle "First call for Children" regarding protection and care of every child by the community in accordance with the section 27 of the Child Law and in line with the Convention.

28. Section 18(a) states that children with disabilities shall have the right to acquire education and vocational education and also section 18(b) states that children with disabilities may participate with dignity in the community, stand on their own feet and promote self-reliance. The Ministry of Education has established an Inclusive Education Programme to carry out the teaching and education of persons with disabilities.

29. The National Plan of Action on Disabilities (2010-2012) has been implemented in order to ensure that disabled persons have equal rights with others. Moreover, the new Disability Law has also been developed in line with the Convention on the Rights of Persons with Disabilities.

30. Community-based child protection activities and awareness-raising on child protection based upon families and households are being carried out by Township Committees on the Rights of the Child (TCRC). With the aim to set up an environment that reinforces the all round development of children, capacity building training has been provided for the staff from government departments and staff from voluntary child care organizations, Drop in Centres have been set up and non-formal education, community-based vocational trainings and life skill trainings are being conducted.

31. Twenty-nine Training Schools for Progress of National Races and Border Region have been opened in border areas so that children from remote area can pursue education and can contribute human resource development.

32. From 1999-2000 up to the 2010-2011 academic year, (21,605) students have been trained by these schools and (776) have completed high school level. Those students who passed high school level are sent to respective Universities and assigned to government

departments and organizations. Moreover, 39 Home Science Schools have been set up for low income families and women in border areas to create more job opportunities so that they can earn their living. From 1992 to until now (40,083) women have attended the trainings conducted by these schools and (5308) women can apply such training in their career.

33. The Department of Social Welfare together with the Department of Health have conducted trainings and workshops on preventive measures and how to address issues facing children living with HIV affected parents, for the members of township/district level Child Rights Committee.

**Reply to the issues raised in part I, paragraph 7, of the list of issues**

34. Community awareness programmes including children are being carried out for the protection and safety of life in high risk regions.

**Reply to the issues raised in part I, paragraph 8, of the list of issues**

35. Myanmar became a signatory to the Convention in 1991. According to article 7 – Right to have a name from birth and to be granted a nationality and article 8- State's obligation to protect and if necessary re-establish the basic aspects of a child's identity, the following measures are taken to ensure full birth registration and provision of birth certificates to all children.

36. The Central Statistical Office and Department of Health are working together for the registration of births and deaths. The Department of Health takes responsibility for registering and issuing birth and death certificates. The Central Statistical Office distributes the birth and death registration forms collects and records data based on the forms sent back from the Department of Health. In addition, it occasionally provides trainings for basic health workers.

37. In Myanmar, the Township Health Department is responsible for birth registration and Basic Health Staff collect and register every birth in cooperation with the local authorities and voluntary health workers. After that, birth certificates are signed by Township Medical Officers and provided to the respective family by Basic Health Staff. Myanmar has already established a birth registration system which covers the whole country including ethnic groups, rural and remote areas. To achieve full birth registration, information on the importance as well as on the process of birth registration to community is done by education and provision of IEC materials like posters and pamphlets.

**Reply to the issues raised in part I, paragraph 9, of the list of issues**

38. In section 15, of the 1993 Child Law, it is stated that every child has the right to freedom of speech and expression, to freedom of thought and conscience and to freely profess any religion, has the right to participate in organizations relating to the child, social organizations or religious organizations permitted under the law.

39. The Ministry of Information has disseminated the child programme through the media such as newspapers, journals, television, and radio. In such programme, the social and cultural programme is included. Moreover, the printing and publishing Enterprise, the House of Literature and Myawaddy Printing house have published not only the weekly journal but also the child literature through books and magazines to improve the knowledge of the rights of children. The Child Literature award is included in the National Literature award and the House of Literature Award.

40. The Information and Public Relation Department has been not only cooperating at all levels of the Child Rights' Committee but also opening the over 30,000 child reading rooms and village self-help libraries at the (407) townships and sub-township offices. The Child literature and the Child Rights book is available at these places.

41. With regard to freedom of speech and expression, the gatherings of victims were conducted two times in 2010 and one time in 2011 at Yangon and Mawlamyine with the contribution of the Department of social Welfare, United Nations agencies and INGOs. By doing so, the trafficked children get the chance to share information and their current situation with each other.

42. Moreover, in Myanmar trafficked children have the opportunity to exchange their experiences with the children victims from the Mekong countries such as China, Cambodia, Laos, Vietnam and Thailand by attending the Mekong Youth Forum which was held in 2008 and 2010 at Bangkok, Thailand. In 2010, Myanmar children shared their experience through participating in the Youth Forum held at Brunei.

43. At the primary education level, the concepts of Human Rights are integrated into the Moral and Civics, Myanmar Language and Social Studies as the core subjects.

44. In order to promote children's creativity, analytical skills, critical thinking, and problem-solving skills, the Child Centered Approach-CCA is used in the teaching learning process especially in primary level. In UNICEF, assisted education programme right based, child friendly school concept and child centre approach have been practiced in all schools in project townships. In addition JICA assisted in strengthening the Child Centered Approach-2 (SCCA-2) project which is also being implemented in 40 project townships. One of the strategies of EFA National Action Plan is developing and expanding child friendly schools.

45. Utilization of a child-centred approach and child friendly school concepts as well as the teaching of human rights education in the basic education sector ensure that children enjoy their rights to freedom of expression, assembly and to access to appropriate information.

#### **Reply to the issues raised in part I, paragraph 10, of the list of issues**

46. No child shall be detained for the purpose of political concern. One of the aims of the Child Law laid down in the Chapter 2 is "to enable a separate trial of a juvenile offence and to carry out measures with the objective of reforming the character of the child who has committed an offence. There are also provisions relating to the trial of Juvenile cases in Chapter 10 of the Child Law and section 42 which specifically mention the procedures to be followed by the Juvenile court in trying juvenile cases.

47. In accordance with the Section 40 (a) of the Child Law, the Supreme Court of the Union has established two separate Juvenile Courts in Yangon and Mandalay to try juvenile cases. The Juvenile Court (Yangon) has been constituted to try juvenile cases occurring at 20 townships in Yangon City Development Area. The Juvenile Court (Mandalay) has been constituted to try juvenile cases occurring at five Townships in Mandalay City Development Area. For other Townships, the Supreme Court of the Union issued the Notification Number 25/1993 on 29 July 1993 to confer the power of juvenile Judge on the township Judges to try juvenile offences in accord with the Child law.

48. A child shall be presumed innocent until proven guilty according to law. According to Section 42(c) of the Child Law, if the child or his parents or guardian cannot or do not wish to engage a lawyer and the child makes an application to be defended with the assistance of any appropriate person the court shall grant permission to do so. Juvenile Court shall arrange to provide an interpreter, if necessary. Section 42 (e) mentions that the Juvenile Court shall dispose of the case speedily. Under the Section 49 (a) of Child Law, there shall be right of appeal or right of revision against the order or decision passed under this law by the Juvenile court in accordance with the provisions of the Criminal Procedure Code.

49. To strengthen juvenile justice, the Department of Social Welfare in collaboration with UNICEF has assigned township social welfare officers in 15 townships. While the court has to examine the child in conflict with the law or a child witness, the report submitted by the probation officer shall be presented to the Department of Social Welfare. The probation officer makes a field visit to the child's home and surroundings and investigates the character of the child, the condition of his or her parents and environment and then submits the report to the court with comprehensive documents. The report of the probation officer is contributing to the right justice.

50. In considering the amount of sentence, section 45 of the Child Law provides that notwithstanding anything contained in any existing law, a death sentence, life imprisonment or a sentence of whipping shall not be passed on any child.

**Reply to the issues raised in part I, paragraph 11, of the list of issues.**

51. According to the Child Law, section 32(d) enacted that a child in need of protection and care who is in the custody of cruel or wicked parents or guardian. Whoever subjects a child to any form of abuse, or violence shall be punished under the Child Law, section 66. To protect those children who are subjected to abuse, violence and neglect in the states and regions, a community-based child protection system has been established not only in collaboration with UNICEF, World Vision, Save the Children but also through awareness-raising about the Convention on the Rights of the Child conducted in the Basic Education Schools. Child protection groups have been organized in cooperation with parents and ward elders in accordance with a community-based child protection system. Domestic violence is also being addressed by using child protection discussions, providing systematic guardianship with these groups. Besides, Child Rights issues, Labour Law, rules and regulations are also being discussed.

52. Due to the influence of Buddhism in the society, in general, there is no teacher who gives corporal or other humiliating punishment to the children. There are five fundamental duties for teachers. One of the five fundamental duties for the teachers is to protect pupils from dangers.

53. Human rights education lessons have been taught in all basic education schools. One of the 33 process indicators of a child friendly schools programme stated that "teachers must practice positive, non-aggressive and alternative discipline". Therefore, corporal punishment as well as humiliating punishment is strictly prohibited in basic education schools in Myanmar.

**Reply to the issues raised in part I, paragraph 12, of the list of issues**

54. Those children who are separated from their parents who have the right to care under the Constitution are protected by the enacted Child Law 1993 section 32, 33, 35, 36, 46, 48 (b), 55, 57, 58(b)(3), 59, 60, 61, 62, 63, 64 and 73. Children who are living poor with families are also accepted and taken care in the government and volunteer institutions. Minimum Standard of Child Protection and Child Care (2009), Regulations of training schools for boys and girls (2003), subsidized rules for volunteer organizations, and recognition for volunteer organizations have been promulgated.

55. The family reintegration programmes are First Intake, Identification and Documentation, Assessment, registration, Family Tracing, Family Assessment, Verification and Reunification, Reintegration, Referral Systems and Coordination Mechanism and Follow-up. Probation Officers are being provided trainings to enable them to undertake reintegration of children into their families.



**Reply to the issues raised in part I, paragraph 13, of the list of issues**

56. The Thanlwin river hydropower project, Dawei Deep Sea Project in Tanintharyi Region and the Gas Pipelines project from Kyaukphyu, Rakhine Region into China have been planned and evaluated. In order to implement those development plans, housing and farm lands in the respective project area have been removed. The current Government halts Myitson Dam Project.

57. In implementing those development plans, the respective ministries in collaboration with the team, including the authorities and the concerned personnel from the villages and towns and representatives of the implementing company are carrying out field visits and analysis and coordinating to use required land area at least.

58. Proper listing for different kinds of lands and crops and their maturity are been carried out before the respective owners. They also collected the supporting evidences for map form and updated prices for lands and crops. Then payment for compensation has been computed as per proper land and crop compensation formula. Prior to granting the land for the pipeline route, a survey is performed to ensure that the route avoids towns, villages, as well as pagodas, religious buildings, historic buildings and cemeteries. Furthermore, health, education and socio-economic programmes for local people have been taken into account. A Socio-economic team has been formed to focus on the development of poor villages and townships.

**Reply to the issues raised in part I, paragraph 14, of the list of issues**

59. The Government of Myanmar cooperates with the Country Task Force on Monitoring and Reviewing to develop a plan of action for children in a situation of armed conflict. This includes obtaining information and reducing restrictions facing United Nations organizations' access to conflict areas. National Reconsolidation is carried out by forming a National Reconsolidation Commission in the Hluttaw and respective State and Regional Governments as well.

**Reply to the issues raised in part I, paragraph 15 of the list of issues**

60. The Prevention on the Military Recruitment of Under-aged Children Committee was reformed again in 23May 2011 by notification (50/2011) by the President's Office. This Committee consists of eight members and chaired by the Union Minister for Ministry of Defence. From 2004 up to 2011, the Committee meetings have been held 12 times. The monitoring and reporting group was formed on 6 October 2010 comprising seven members.

61. This Monitoring and Reporting Group, in cooperation with UNICEF, has developed a draft action plan of prevention on the military recruitment of under-aged children, and it was submitted to get information. The Department of Social Welfare together with UNICEF conducted (14) awareness-raising trainings on prevention of military recruitment of under-aged children to (519) officers from the military from 2007 to 2011.

62. In 2010, military officers made awareness discussion to (14541) officers of military, (108819) other ranks and (74683) of their family members, a total of (198043) persons have participated. Preventive measures on the military recruitment of under-aged children by other armed groups are still unsettled.

63. Representatives from United Nations agencies paid visits to military recruitment units seven times from 2004 to 2011. From 2004 to 2011 action was taken against, officials and 155 military personnel from Military Recruitment Units who had disobeyed the rule and 520 under-aged children were removed from Tatmadaw.

**Reply to the issues raised in part I, paragraph 16, of the list of issues.**

64. The rights, working time, rest time, payment of wages system and respective provisions in the following labour laws enacted in the Republic of the Union of Myanmar protect and provide full enjoyment of the rights of the child;

- 1951, Factories Act
- 1951, Leave and Holidays Act
- 1951, Shops and Establishment Act
- 1951, Oilfield Labour and Welfare Act
- 2011, Labour Organization Law

65. The Ministry of Labour has been cooperating with concerned government departments, the UNICEF and other organizations under the United Nations and with NGOs for ensuring that children enjoy the rights of employment under the provision provided in section 24 (a) and (b) of the Child Law, for occupational safety and health of working children and to avoid those grievances against which the Ministry of Labour must protect them under the Law.

66. The provision for the working children provided under the Factories Act, Shops and Establishments Act., Leave and Holidays Act are being enforced by the Factories and General Labour Laws Inspection departments under the Ministry of Labour. In doing so, shops and establishments are inspected and action is taken against those, establishments which are not in line with the existing labour laws. The education of owners and managers of shops and establishments is carried out through cooperation with the concerned departments and organizations and implemented by drawing up a Plan of Action in order to reduce and eliminate child labour and to ensure decent working conditions for youth of legal working age.

67. The Anti Trafficking in persons Law was enacted in 2005 which states that whoever is guilty of trafficking in persons especially women, children and youth shall on conviction be punished with imprisonment for a term which may extend from a minimum of 10 years to a maximum of imprisonment for life and may also be liable to a fine.

**Reply to the issues raised in part I, paragraph 17, of the list of issues**

68. For the effective implementation of combating trafficking in persons, the Anti Trafficking Law in Persons was promulgated in Myanmar in 2005. The preventive measures are being implemented in accordance with the 2005 Anti Trafficking in Persons Law. The five year National Plan of Action on Combating Trafficking in Persons was adopted in 2007 and an Annual Work plan is laid down and carried out. To combat trafficking in persons, Myanmar signed an MOU with Thailand on 24 April 2009 and with China in November 2009.

69. The investigation trainings on trafficking in persons were provided to the police officers from Myanmar Police Forces. For preventive measures, 23 anti trafficking task forces in states and regions and one anti-trafficking unit in Myanmar Police force were formed with trained personnel to implement the prevention activities. Now, there are altogether 170 Myanmar Police Force members who are implementing the measures on combating trafficking in persons as key sources. There are 641 cases of action taken after promulgating the 2005 Anti Trafficking in Persons Law. A total of 1813 traffickers were prosecuted and 1450 victims were rescued.

70. From 2006 and 2011, the Department of Social Welfare provided return, repatriation, reintegration and rehabilitation programmes for 1307 trafficking survivors.

**Reply to the issues raised in part I, paragraph 18, of the list of issues**

71. There is no Rohingya national in the Republic of the Union of Myanmar. No Bengali child in the northern Rakhine Region has been detained.

**Reply to the issues raised in part I, paragraph 19, of the list of issues**

72. The Myanmar Central Statistical Organization publishes a Statistical Year Book and a CD Rom annually to provide data on children. Moreover, a Statistical Profile of Children and Women has been published once every three years and could be bought at the Sarpaybaikman bookstore and the Central Statistical Organization.

**Part II****Reply to the issues raised in part II of the list of issues**

73. The Government is now preparing to sign the following international human rights instruments:

- (a) International Covenant on Economic, Social and Cultural Rights;
- (b) United Nations Convention on the Rights of Persons with Disabilities;
- (c) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

**Part III****Reply to the issues raised in part III, paragraph 1, of the list of issues****Data, statistical and other information, if available;**

74. According to the First Myanmar Basic Disability Survey (2008-2009) which was conducted in 2009 in 120 townships, 2.32 per cent of the total population are persons with disabilities; 24.75 per cent of which are children with disabilities (under 16 years).

75. The cause of disability to children less than 5 years of age is 0.6 per cent affected by birth, 0.06 per cent caused by accident, and 0.2 per cent infected by disease. For the cause of disability to 6-15 years of age, 1.2 per cent is existed from birth and 0.2 per cent is by accident, and 0.2 per cent is due to illness. With regard to persons with disabilities who are affected by birth, 0.9 per cent is male and 0.8 per cent is female while 0.6 per cent is male and 0.3 per cent is female related to the persons with disabilities who are affected by accident. It is also found that 1 per cent each for male and female with disabilities that are affected by disease.

76. The Republic of the Union of Myanmar implements inclusive education and children with disabilities, children who have difficulties to attend the schools, abandoned children are provided such measures as supporting informal education and basic education. In 2010-2011 Academic year, six persons with disabilities in Master Degree Course, 30 in Universities and Colleges, 1450 children with visual and hearing impairments in special schools, and 801 children with disabilities in basic schools pursue their education.

**Reply to the issues raised in part III, paragraph 2 of the list of issues**

77. There was no case in child prostitution and child pornography during 2008-2010. But, there were some cases related to sexual harassment. From 2008 to 2010, the trafficked children especially for the purpose of sale for adoption and forced labour were repatriated and protected.

78. Children in need of social care are provided education, vocational training, and rehabilitation services in training schools and community centres which are run by the Department of Social Welfare, Relief and Resettlement. Besides, community-based child protection systems are developed to protect those populations with a view to reintegrating them into their society.

79. Crimes against children are prosecuted under the relevant sections of existing laws and punishments are intended to ensure that the offender does not to commit such a crime again. Penalties are imposed with special emphasis on the prevention of trafficking of children and youths in the Anti-Trafficking in Persons Law Chapter (9) " Offence and Penalties " section 24 " Whoever is guilty of trafficking in persons especially women, children and youth shall, on conviction be punished with imprisonment for a term which any extend from a minimum of 10 years to a maximum of imprisonment for life and may also be liable to a fine.

**Reply to the issues raised in part III, paragraph 3, of the list of issues**

80. Children sent by Juvenile Courts are taken care of in schools run by the Department of Social Welfare. 226 children are kept in Hynet Aw Son Boy's Training School, one in Mawlamyaing Boys' Training School and 80 are in Mandalay Boys' Training School. Those children are sent to institutions where they are kept for a minimum of two years or until they have reached 18 years of age. Training Schools provide them health care, formal education, non- formal education and vocational trainings and rights to rest and leisure. Myanmar Child Law, section 45 prohibits a death sentence to any child. No letter of complaint has been received concerning the abuse and maltreatment of detained children.

**Reply to the issues raised in part III, paragraph 4, of the list of issues**

81. Labour registration is granted to persons having reached 18 years of age by a labour officer under the Ministry of Labour, permitting them to work in factories and industries within the country.

**Reply to the issues raised in part III, paragraph 5, of the list of issues**

82. The priority areas with regard to the implementation of the Convention are as follows:

- (a) Violence against children;
- (b) Education particularly early care childhood care and development;
- (c) Trafficked children;
- (d) Children infected and affected by HIV/AIDS;
- (e) Children with disabilities;
- (f) The right of children to participate in all affairs that affect them.

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