



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/SR.854
4 February 2003

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-second session

SUMMARY RECORD OF THE 854th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 27 January 2003, at 10 a.m.

Chairperson: Mr. DOEK

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Haiti

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Haiti (CRC/C/51/Add.7; CRC/C/Q/HAI/1; CRC/C/RESP/21)

1. At the invitation of the Chairperson, Ms. Duchatellier, Mr. Etzer and Mr. Joseph (Haiti) took places at the Committee table.
2. Mr. ETZER (Haiti) said that, regrettably, his Government had been unable to send a specialist delegation. Questions would be answered by himself, as Permanent Representative, and his staff, although they were not experts. Any question that they were unable to answer would be transmitted to the authorities concerned in Haiti and communicated to the Committee in due course.
3. The Government had ratified the Convention in 1994 and, despite years of demographic change and continuing political tension in the country, had made every effort to implement it. He noted that, although scheduled for 1997, the report had been drafted only in 1999, which was why the statistics largely related to the latter year.
4. There was no specific definition of the child in Haitian law; the term was equivalent to that of minor, which, according to the Civil Code, meant anyone under the age of 18. Within that category, however, status varied according to the situation of the person concerned. Thus 15 was the minimum working age and 16 the minimum age of criminal responsibility. In a country with a population of 8 million, of which 52 per cent were minors, the Government clearly had a strong interest in implementing the Convention, which formed an integral part of Haitian legislation. The cornerstone of child-centred legislation, debate on which had started in 1998, had unfortunately still not been finalized; such was the importance attached to the issue that the Government had wished to gather all points of view before committing itself to legislation.
5. Implementation of the Convention fell to all State bodies but in particular to the Ministry of Social Affairs, the Ministry of Justice and Public Security, the Ministry of Education, Youth and Sport, the Ministry of Public Health and Population and the Ministry on the Status of Women and Women's Rights. Coordination was the responsibility of the Ministry of Social Affairs, although the actual implementation of the Convention was in the hands of an interministerial committee on the rights of the child, set up in 1997: as well as organizing the National Children's Day, it oversaw the dissemination of the Convention, which had been integrated into school curricula. The effects had been positive, but the incidence of illiteracy meant that many children still remained to be reached. Considerable support was also received from a number of non-governmental organizations (NGOs) and from the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the Pan American Health Organization (PAHO).

6. Under the Convention and the Haitian Constitution, a child had the right to the love and the material and moral support of his parents. The reality, however, fell regrettably far short of the needs of Haitian children. Although some positive trends could be discerned, the statistics on children's health and education, in particular, were worrying.

7. The Ministry of Public Health and Population had the objectives of improving children's health, reducing infant morbidity and mortality, and encouraging greater community participation in promoting child and adolescent health. Every year saw the death of 108,000 children under 5, while 60 per cent of those who survived did not develop normally. On the other hand, the introduction of a number of new programmes had resulted in the reduction of infant deaths from 150 per 1,000 to 114 per 1,000. Of particular significance had been a 1994 initiative to promote breastfeeding, thanks to which thousands of babies' lives had been saved.

8. Under the National Plan for Education and Training, by 2010 there would be universal access to schooling for children aged 6 to 11; positive discrimination would be applied in rural areas to ensure that they did not fall behind. Between 1994 and 1998 the number of public centres at the pre-school level increased from 210 to 400. Over the same period the number of private institutions rose from 118 to 611, while pre-school attendance increased from 3.13 per cent to 6.7 per cent. The overall school attendance rate increased from 19.7 per cent to 64.3 per cent.

9. The national school meals programme, established in 1997, made it possible to provide one meal a day for children. Teaching materials and hundreds of uniforms were issued to needy children every year. In 1999 a pilot programme on access to education for 6 to 12 year-olds had been started in one region of the country; in the first phase 17,000 children had been given access to education; the plan had been that by 2000 every child in the region would be attending school.

10. The share of the national budget allocated to the Ministry of Education had increased from 9.37 per cent in 1997 to 22 per cent in 2000. He did not claim, however, that the country's problems would thereby be solved: there was a sore need for high-quality education and, in particular, action to ensure that fewer children dropped out of school. A further problem related to children with disabilities: of the 120,000 whose disabilities warranted special schooling, only 1.7 per cent could attend such schools. Private institutions providing such facilities, however, received support from the State. Other areas of concern were the country's street children and children in domestic service.

11. The Government attached great importance to the welfare of children, but implementing the Convention required more than mere adherence to a legal text; the country must settle down after the profound political change of the past decade, and further social change was required. He assured the Committee, however, that the implementation of the Convention was part of the Government's overall policy and would be achieved once the problem of underdevelopment, which underlay many of the problems suffered by children in Haiti, were solved by national effort and international assistance.

12. The CHAIRPERSON invited the Committee to put questions to the delegation concerning general measures of implementation and the definition of the child.

13. Ms. OUEDRAOGO, after expressing regret that no one directly involved with the implementation of the Convention had been able to attend, said that the population of Haiti was very young; unemployment stood at 70 per cent; the country had undergone a long period of political instability, which had had serious consequences; gross domestic product (GDP) was modest and was declining still further; the currency had been devalued; and there had been a fall in foreign aid, as the European Union, for example, had frozen its contributions to the country.

14. She regretted that Haiti had not yet ratified the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the two Optional Protocols to the Convention on the Rights of the Child; the various inter-American conventions on the protection of children; the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182), or any of the Hague Conventions on the protection of children. She hoped that the Government would consider ratifying those instruments.

15. There were considerable gaps in the report: nothing had been said about action to protect children against HIV/AIDS; statistics and information on the budget allocation for young children were lacking; and there was no indication of the procedure whereby the report had been drafted. Moreover, not all the questions contained in the list of issues (CRC/C/Q/HAI/1) had been satisfactorily answered in the country's written replies.

16. She asked, first, what the current situation was in the country and, specifically, whether there was a parliament. It was clear from the report that the absence of a legislative body had proved a severe obstacle to the introduction of measures - and to the associated funding - for the benefit of children. Secondly, she expressed concern about the delay in introducing comprehensive legislation on children; she wondered what sort of structure was envisaged. In that context, she understood that a private firm had been employed to carry out research on the role of the family in Haiti and she hoped its work would be successfully conducted in accordance with the Convention.

17. She further wished to know whether the Convention had ever been invoked in the courts and whether the delegation could cite any relevant case. She also wondered whether the National Commission for Administrative Reform was operational and, if so, how it was constituted. Her impression was that the Constitution focused more on the welfare of children than on their rights. Indeed, she could find no evidence of a general policy or plan of action to strengthen children's rights.

18. She understood that the Interministerial Commission on the Rights of the Child, the Ministry of Social Affairs and the national committee comprising representatives of the various ministries (CRC/C/51/Add.7, para. 16) all had a part to play in coordination, but she asked for further information as to the practical effects at the national and local levels. The report said that the committee identified measures taken to implement the Convention, but it was not clear what happened once such measures had been identified. She also asked about the mandate of the Ombudsman, who not only seemed inadequately supplied with human or financial resources but also appeared to have no special obligations towards children, and she wondered whether plans to extend his mandate had been implemented.

19. Lastly, she expressed concern that a child was taken to be the same as a minor, yet girls were no longer considered minors if they became pregnant or got married. The Convention covered all children. Again, not only could children start work at 15 but they might undertake domestic work as young as 12. According to the report, the Social Welfare and Research Institute (IBESR) of the Ministry of Social Affairs objected de facto to the employment of a child in domestic service by not issuing permits for such employment; yet the practice itself had not been outlawed. The situation was complicated by the fact that children in such a situation did not even receive the benefit of monitoring. She wondered whether any measures to rectify the situation had been introduced.

20. Ms. CHUTIKUL said she would like to learn more about the general attitude towards children in Haiti. For example, were children encouraged to participate in decision-making in the home and at school? It would be interesting to know to what extent children's views were taken into account and how children were punished, particularly those working in domestic service.

21. On the issue of birth registration, she expressed concern that, despite some cooperation between the Church and the State which helped to compensate for the system's shortcomings, registry offices were often inaccessible to people living in rural areas. She would like to know whether the Government had introduced any alternative ways of registering births. In addition, it would be interesting to know whether there were any mobile units in Haiti providing health care and education for children living in remote areas.

22. The report revealed that children born out of wedlock faced discrimination under the Civil Code. Such children could not, for example, inherit from their father and could not bear their father's name. As a result, they had no right to financial support and no right to maintenance. She would like to know whether the Government was taking any measures to prevent such discrimination. She wondered how likely it was that children would be placed as a priority on the national agenda. In its efforts to eradicate poverty, the Government should start by improving the situation of families and children.

23. Ms. AL-THANI said she would like further information about the "SOS TIMOUN" telephone line for children mentioned in the report (CRC/C/51/Add.7, para. 99). Was it a hotline? It would be interesting to learn how complaints were dealt with and who was responsible for the service.

24. It was clear that some efforts had been made to increase awareness of the Convention; for example, it had been translated into Creole. However, it was unclear to what extent the Convention had been incorporated into the school curriculum. What was being done to ensure that all children - including those that did not attend school and those living in remote areas without media access - had the opportunity to learn about their rights? She expressed concern that the Government did not have a systematic approach towards training professionals on how to implement the Convention and that its efforts remained scattered.

25. The Civil Code defined a minor as a person of either sex who had not yet reached the age of 18, which was the age at which matrimony could be entered into. However, other sources indicated that the minimum legal age for marriage was 15 for girls. Could the delegation clarify

the matter? If indeed there was a difference between the minimum age for marriage for boys and girls, what was being done to establish the same age for both sexes? She expressed concern that, although the Labour Code set the minimum age for paid work by children at 15, a child could enter domestic service at the age of 12; the matter needed urgent attention. The question of the ill-treatment of children, mentioned throughout the report, was also a serious concern. How would those issues be resolved in the new Children's Code?

26. Mr. AL-SHEDDI said that although international treaties were formally incorporated into domestic law under the Constitution, in practice the status of the Convention was not always clear. Draft legislation to implement the provisions of the Convention had been submitted in 1998, but had not yet been adopted. The State party should indicate the status of that legislation.

27. He would like more information about the national committee established in 1997 to identify measures taken to implement the Convention. How many people worked for the committee and what was its budget? How did it become involved in projects for children and what was its official status? He would like the delegation to provide examples of the committee's work and to indicate what its future role would be.

28. He welcomed the fact that civil society was very active in promoting the rights of the child. However, it seemed that some difficulties arose when trying to secure the participation of civil society in activities organized by the Government. He wondered whether there was a mechanism for coordinating the work of NGOs with the work of the national committee; the lack of data on children must seriously hinder its work. He stressed the importance of having a national database on children. The Government should indicate how it collated and evaluated the data provided by the different ministries responsible for children. Lastly, he expressed concern that the efforts to disseminate the Convention were insufficient. What was the Government doing to inform illiterate people about the Convention?

29. Mr. CITARELLA observed that, although Haiti was one of the poorest countries in its region, no information had been provided about the country's financial situation. It would be useful to know what percentage of the State budget was spent on child health and education. Further information should be provided about the status of the Convention in Haiti's legal system. He expressed concern that, although the Convention was incorporated into domestic law and could be invoked before the courts, the constitutional provisions recognizing that every child was entitled to love, affection, understanding and moral and material care from his or her father and mother were not, in fact, in line with the Convention. Furthermore, he was concerned about the fact that legislation placed undue emphasis on parental authority over their children; for example, parents were allowed to send their children to prison with no judicial proceedings (CRC/C/51/Add.7, para. 51). He wondered whether social attitudes were changing and more emphasis was being placed on the rights of children.

30. The State party should clarify the question of the age of criminal responsibility. According to paragraph 35 of the report, although the minimum age for criminal responsibility was set at 16 years, children between the age of 13 and 16 who committed crimes could be taken before the Juvenile Court.

31. Although the practice of using children as domestic servants was in decline, the statistics provided by the Government indicated that a significant number of children aged between 5 and 14 were employed as domestic servants. He was particularly concerned by the fact that, allegedly, 29 per cent of children working as domestic servants were mistreated, 21 per cent were treated as slaves and 14 per cent were given excessively heavy work.
32. On the issue of discrimination, he said that although Haiti was a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, the report revealed that certain discriminatory practices based on skin colour, economic status and religion could sometimes be observed in Haitian society. Women and girls continued to face a significant amount of sexual discrimination. He was particularly concerned by the discrimination faced by children born out of wedlock. He would like to know why such discrimination continued to persist.
33. Ms. TIGERSTEDT-TÄHTELÄ observed that, in February 2001, the President of Haiti had launched a five-year economic and social programme, focusing in particular on education and health. The programme aimed, inter alia, to increase the primary school enrolment rate to 90 per cent and improve access to water and health care. She asked whether the Government had already started to implement the programme and whether the ministries involved in the programme had a special budget. Furthermore, the State party should explain the budget figures provided in paragraph 2 of the written replies. It was unclear to which year the information applied and whether the figures reflected the percentage of the budget or of gross domestic product. She would like further information about the budgetary appropriations for health and education.
34. She asked whether any cooperation took place between the Government, intergovernmental organizations and NGOs working in the field of children's rights and whether there was a coordination mechanism. It would also be useful to know whether the private sector was involved in providing health and educational services and what was done to ensure that standards were maintained. She would like more information about the Social Welfare and Research Institute attached to the Ministry of Social Affairs; for example, how did it carry out its functions, given the lack of resources?
35. Ms. KARP observed that, according to the information provided by the State party, over 50 per cent of the Haitian population was under 18. In view of the shortcomings of the system of registering births, on what sources of information was that assertion based? One of the main obstacles to the implementation of the Convention was political change. In view of the fact that legislative and local elections were due to be held in 2003, to what extent would children's rights appear on the political agenda? If there was a change in Government, would there be continuity in the efforts to implement the Convention? The frequent changes in the Ministry of Justice appeared to pose an obstacle to the adoption of the draft Children's Code. Why were there so many conflicts of interest?
36. It would be useful to know whether, in practice, children had access to and knew about the Ombudsman. What was the nature of the complaints he received and how were they investigated? What had been the results? It would be interesting to know what was being done

to reduce the disparities between the levels of social services provided in urban and rural areas. She would also like to know whether the Government intended to reform the court system, as the huge backlog of cases and lengthy proceedings had a negative impact on children.

37. She asked at what age children could seek medical advice and treatment without parental consent. She was particularly interested in knowing at what age children could request an AIDS test, given the prevalence of the disease. She would like more information about Haiti's participation in the "Right to Know Initiative", which focused on HIV/AIDS and related issues among young people. How effective had it been and had it helped to raise public awareness about taboo issues such as sexuality and contraception?

38. The CHAIRPERSON urged the members of the Committee to ask general questions, in view of the fact that the delegation did not comprise experts in the field of child rights.

39. Ms. OUEDRAOGO, noting that assistance for Haiti had been frozen for political reasons, asked whether there had been any discussion at the national level to find a way out of that situation. It was unfortunate that Haiti had not ratified many of the international conventions; she wondered to what extent Haiti participated in regional and subregional cooperation programmes for the protection of children.

40. It was apparent from the report that data collection needed to be improved. She wondered what measures might be taken to that end.

The meeting was suspended at 11.25 a.m. and resumed at 11.45 a.m.

41. Mr. ETZER (Haiti), replying first to a question by Ms. Ouedraogo concerning the current situation in the country, explained that following negotiations between the Government and the opposition under the auspices of the Organization of American States (OAS), a resolution had been adopted by the OAS under which elections were to be held in early 2003. Discussions were being held between the Government and the opposition on ways and means of implementing the resolution. The Haitian Parliament had been dissolved and was no longer functioning, hence the delay in ratifying a number of treaties and adopting the Children's Code.

42. On the issue of domestic help, to his knowledge there had not been any discussion of whether children should be allowed to take on such work. His delegation would also have to report back to the Committee on whether the Convention could be invoked in the courts.

43. It was difficult to say whether there was an overall policy on children, since no document existed which summarized all government policy in the various areas concerned. Each ministry had its own field of action, and it was up to the Ministry of Social Affairs and the Social Welfare and Research Institute to coordinate the work of the various ministries as they related to children's matters.

44. With regard to assistance that had been frozen, implementation of the OAS resolution had begun, but unfortunately, the financial assistance had still not been released. His Government was in contact with those international bodies which had promised to unfreeze the assistance, including the European Union, to find out when they would actually do so.

45. Replying to a question on data collection, he said that the latest population census had gathered information on the number of children, employment and family make-up. The findings of surveys targeting children carried out by non-governmental organizations and the United Nations Children's Fund were also available.

46. Ms. DUCHATELLIER (Haiti) said that, contrary to the indication in the report, Haiti had not yet acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but was considering doing so. It had signed the two Optional Protocols to the Convention on the Rights of the Child and expected to ratify them in the near future. The same applied to the International Covenant on Economic, Social and Cultural Rights.

47. An initial draft of the Children's Code had been drawn up in 1998. In cooperation with UNICEF, the draft Children's Code had been finalized and would be submitted to the Parliament as soon as possible.

48. In reply to a question on the Office of the Ombudsman, she said that provision for the creation of that body had been made in the 1987 Constitution, but it had not been set up until 1999, and implementing legislation had not been adopted until 2002. The Office did not have a special department for children. But a bill was under consideration in cooperation with UNICEF to ensure a better focus on children's questions and easier access for children to the Office. Earlier that week, the first case involving a child had been submitted to the Ombudsman.

49. There had been considerable difficulties concerning the registration of births. The Church had been very helpful in assisting local authorities in that area. The Government was working to set up a new system for registering births, and a pilot project had started in a number of regions to improve the registry system so as to guarantee a child's right to a name and nationality.

50. With regard to the "SOS TIMOUN" children's hotline, she said that the number was free of charge and connected the child who used it with the Social Welfare and Research Institute. Children were told what action could be taken to deal with abuse and other problems.

51. Pursuant to the Constitution, international instruments which had been ratified were immediately incorporated into domestic legislation. The Convention took precedence over domestic legislation, and all domestic legislation not in conformity with it was null and void. But implementing legislation was also needed; the point of the draft Children's Code was to amend domestic legislation incorporating the provisions of the Convention on the Rights of the Child.

52. Mr. ETZER (Haiti) said that the use of children in domestic service was linked to the problem of poverty, particularly in rural areas. In placing a child in an urban family, destitute parents believed that the child would be better cared for and might even be able to attend school. Unfortunately, if the urban family was poor, conditions were difficult for the child, who might even become the victim of physical abuse. Well-off families also took in many children from poor families; mostly such children were well treated and educated.

53. On registration of births, he said that children were registered with the population registry, but as there was a lack of staff in remote rural areas difficulties arose. The Catholic and Protestant Churches assisted registry officials. For example, registry officials issuing birth certificates accepted baptismal records.

54. Mr. JOSEPH (Haiti), regarding the definition of minors and the fact that girls aged 15 could marry, said that under Haitian legislation, a minor was considered to be someone who had not yet reached the age of 18. Pursuant to article 133 of the Civil Code, the minimum age of marriage was 18 for boys and 15 for girls.

55. Ms. DUCHATELLIER (Haiti), referring to a question on corporal punishment, said that in autumn 2001 a law had been passed on the protection of children which prohibited all forms of corporal punishment and exploitation of children.

56. Mr. ETZER (Haiti) said that he was unable to say to what extent the Convention had been disseminated in schools. Radio Timoun, a station for children, had a special broadcast on the Convention. Owing to the high rate of illiteracy, there was a need for constant oral communication in order to reach all children. It would be useful to conduct a survey to ascertain to what extent children were actually aware of the Convention's existence.

57. Domestic service for children was prohibited by law. Unfortunately, parents continued to send their children to live in urban families.

58. Ms. TIGERSTEDT-TÄHTELÄ asked whether children had access to telephones, whether teachers assisted children who wanted to use the hotline, and whether it was actually used.

59. Ms. DUCHATELLIER (Haiti) said that children had access to the hotline and could ask for assistance from a teacher or other adult or at a local NGO office. But not all municipalities had access to a telephone. She could not say how many or what percentage of children used the hotline.

60. Ms. OUEDRAOGO concluded that the children who most needed the hotline had no access to it.

61. Ms. KHATTAB said that poverty was clearly the underlying cause of many of Haiti's problems. She asked whether the economic and social programme 2001-2006 included measures to help the poor.

62. Mr. ETZER (Haiti) said that children were taken into account in the programmes of the individual ministries. Children automatically benefited from programmes on education, health care, family and social affairs and, more generally, from efforts to promote the country's development. It was difficult to apply each principle of the Convention to a narrow sector of society. If the Government's economic and social policies bore fruit, it would have a positive impact on implementation of the Convention.

63. He was unable to assess the extent to which the Convention had been disseminated and who had been informed of its existence. He had no disaggregated budget figures.
64. Ms. OUEDRAOGO said she would like to know how the budget had been agreed upon in the absence of a functioning parliament.
65. Mr. ETZER (Haiti) said that the budget had been adopted by the executive branch on the basis of previous appropriations.
66. Ms. AL-THANI asked whether, in view of the fact that prohibition had failed to abolish domestic servitude, the Government had considered taking more practical measures. The delegation should also explain whether child servants, or their parents, were paid.
67. Ms. CHUTIKUL expressed concern over the suggestion in paragraph 261 of the report that provisions relating to domestic service might be removed from the new Labour Code. A failure to regulate conditions of service would leave children more vulnerable to abuse.
68. Mr. ETZER (Haiti) said that economic development was the only effective, long-term solution to the problem of domestic servitude. Nevertheless, efforts would also be made to improve the education system and raise awareness of the harmful impact on children of domestic service. Servants did not receive wages, but were provided with board and lodging in exchange for their work. In some cases, wealthy employers would also pay for them to attend evening classes in order to complete their education.
69. Ms. KHATTAB said that domestic servitude could only be eliminated by addressing the root causes of supply and demand. On one hand, education should be made available and attractive even to the poorest children and, on the other, cultural attitudes towards domestic service must be changed.
70. Ms. TIGERSTEDT-TÄHTELÄ asked whether an overall budget breakdown was available, since she wanted to know whether the economic and social rights of children were a priority for the Government. Further details should be provided concerning the way in which children were recruited for domestic service.
71. Ms. KARP said it would be interesting to learn whether the Government had carried out any research concerning girls who were raped by their employers while working as domestic servants. According to information she had received, girls were frequently raped and thrown into the street, where they began working as prostitutes.
72. Mr. ETZER (Haiti) said that a breakdown of the budget would be provided in due course. The recruitment of domestic servants took place on an informal basis, usually through an intermediary known to both families. In the light of changing cultural attitudes, many people were ashamed at the treatment of child servants. However, wealthy Haitians needed to take a more proactive approach to resolving the problem.
73. The CHAIRPERSON enquired whether UNICEF had carried out a survey concerning children's awareness of their rights under the Convention.

74. Mr. PHILLIPS (United Nations Children's Fund) said that, while efforts had been made to integrate the Convention into the school curriculum, over 60 per cent of children of primary school age failed to attend school. Therefore alternative approaches for disseminating the Convention were required. However, there had been no systematic campaign to that end, and, according to a UNICEF study, over 65 per cent of children remained unaware of their rights under the Convention.

75. The CHAIRPERSON invited members of the Committee to put questions to the delegation concerning general principles, civil rights and freedoms, and family environment and alternative care.

76. Ms. OUEDRAOGO said that little progress had been made in improving birth registration procedures. In the absence of adequate controls, the production of false identity papers was rife, and nothing had been done to decentralize the infrastructure of civil registry offices. She would be interested to learn whether a programme launched by the United Nations Development Programme (UNDP) had had any impact in that regard. She asked whether the Government was planning to take measures to protect children born of Haitian parents and living in the Dominican Republic, who often remained stateless because of the difficulty in registering as Haitian citizens.

77. She expressed concern over the failure to implement article 19 concerning violence against the child. She would like to know whether any attempts had been made to raise awareness of alternatives to corporal punishment, either at school or in the family. It would be useful to learn of any situations in which corporal punishment had been prohibited. In the context of the "zero tolerance" policy used by police in dealing with criminals, she would appreciate details concerning measures to protect children from the use of violence. The delegation should explain whether enquiries had been launched into allegations of violent acts perpetrated by policemen in 2001.

78. She enquired whether the prohibition of abortion applied even to young rape victims and, if so, what measures were taken to protect the welfare of mother and child. It was regrettable that other arrangements were not found for pregnant women facing prison sentences. The number of abandoned children was also on the rise. Details should be provided of plans to reduce the scale of the problem, for instance by criminalizing abandonment.

79. Ms. KHATTAB asked for further information concerning the activities of the Ministry on the Status of Women and Women's Rights. She wanted to know whether it was common for men to emigrate in search of work and to leave their wives behind. It would be interesting to learn whether illiterate women received assistance in understanding laws and statutes written in French. Details should be provided of any programmes set up to support women and children heads of household. She enquired whether married girls aged 15 to 17 years still enjoyed protection of their rights as children.

80. Mr. AL-SHEDDI said it was difficult to understand why a quarter of all children were separated from their parents. It would be useful to learn what the Government was doing to limit that phenomenon. The delegation should also explain why the adoption of a Children's Code had been delayed for so long.

81. The CHAIRPERSON asked whether the prohibition of ill-treatment of children in the home extended to the use of corporal punishment. According to figures supplied by UNICEF, 37 per cent of girls under the age of 15 years suffered from abuse, which indicated that government policies in that area were failing. It was still legally permissible for fathers to send their children to prison, in a tradition of “fatherly correction”. He would like to know whether that provision was ever invoked and, if not, why it had not been abolished. He asked for further details of foster arrangements and children’s homes. Given that the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption had yet to be ratified by Haiti, it would be useful to learn whether any measures were in place to prevent the sale of children.

82. Ms. OUEDRAOGO asked whether the State took action to enforce the payment of maintenance by parents who were separated from their children. Concerning the placement of children in homes or with foster parents, she would like to know who was responsible for taking such decisions. Lastly, she would welcome a description of conditions for children in homes and reception centres.

The meeting rose at 1.05 p.m.