



Convention on the Rights of the Child

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Summary record of the 1568th (Chamber B) meeting

Held at the Palais Wilson, Geneva, on Thursday, 23 September 2010, at 10 a.m.

Chairperson: Mr. Zermatten (Vice-Chairperson)

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The meeting was called to order at 10.15 a.m.

Consideration of reports submitted by States parties *(continued)*

Fourth periodic report of Nicaragua on the implementation of the Convention on the Rights of the Child (CRC/C/NIC/4; CRC/C/NIC/Q/4; CRC/C/NIC/Q/4/Add.1)

1. *At the invitation of the Chairperson, the delegation of Nicaragua took places at the Committee table.*
2. **Mr. González** (Nicaragua) said that Nicaragua was one of the poorest countries in Latin America and had many structural problems. For that reason the Government of Reconciliation and National Unity had made poverty reduction one of its principal objectives. Measures adopted to that end included the National Human Development Plan 2009–2012 aimed at eradicating poverty, fostering human rights and improving living standards for the entire population. The country was heavily dependent on external cooperation, which had declined in recent years. Although the Government endeavoured to provide for the needs of the country's population, its structural problems were such that a short- or medium-term solution was impossible. Social, political, cultural, economic and institutional reforms must therefore continue.
3. The Constitution of the Republic of Nicaragua recognized a broad spectrum of rights for all segments of the population, as well as international human rights instruments including the Universal Declaration of Human Rights, the American Declaration of the Rights and Duties of Man, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the American Convention on Human Rights. Nicaragua had ratified the Convention on the Rights of the Child in 1990 and its Optional Protocols in 2003. Other instruments concerning children that the State party had ratified included the Palermo Protocol, the Inter-American Convention on the International Return of Children, the Convention on the Rights of Persons with Disabilities and the International Labour Organization (ILO) Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169).
4. Domestic legislative developments included a new Code of Criminal Procedure and a new Criminal Code. The Government had also undertaken to review the Labour Code. Texts of particular relevance for family law included the Responsible Parenthood Act, the Maintenance Act, the Adoption Act and the Draft Family Code.
5. Those texts guaranteed the strengthening and protection of the rights of children and young persons, including those of indigenous or African descent and those with disabilities. They also established a juvenile criminal justice system based on restorative justice and criminalized all forms of exploitation and violence against children and young persons, including physical and sexual violence, sexual exploitation, labour exploitation and trafficking in human beings.
6. The privatization of social programmes begun in the 1980s had brought poverty and exclusion. The new Government had adopted a people, family and community-centric institutional model that guaranteed access to free, high-quality education and health care for all children. The measures adopted by the State were coherent and coordinated and formed part of the National Human Development Plan.
7. The Government's social policies were implemented through the National Social Welfare System. The System encompassed the National Council for the Comprehensive Care and Protection of Children and Young Persons (CONAPINA) and all other related domestic institutions, and implemented national, provincial and municipal social programmes and projects, including in the autonomous regions of the Caribbean Coast. Both the Amor Programme (Programa Amor) and the Amor Early Childhood Education

Strategy (Estrategia Educativa Amor para los más Chiquitos), which aimed to protect the fundamental rights of the most vulnerable children and adolescents and improve their standard of living, were National Social Welfare System initiatives. President Daniel Ortega Saavedra had indicated that the \$2,250,000 awarded to him as the recipient of the Al-Gaddafi International Prize for Human Rights instituted by the Libyan Government would be used to strengthen those initiatives, benefiting 5,000 children in addition to the 6,000 beneficiaries of the Amor Programme.

8. In accordance with the Committee's recommendations, the State party had, *inter alia*, introduced free education and health care, had banned corporal punishment in schools, had eliminated discrimination based on sexual orientation in health-care facilities and had enhanced the resources of institutions tasked with combating trafficking in human beings. The State party was in the process of developing a child and adolescent information system that, once fully operational, should help to frame appropriate policies. The number of children not entered in the civil registry had fallen from 40 per cent to 20 per cent. A nationwide survey had been initiated to improve knowledge and understanding of the situation of children with disabilities. Lastly, to fight child labour more effectively, the Ministry of Labour had increased the resources of the National Commission for the Eradication of Child Labour and the Protection of Young Workers and those of the Child Labour Inspectorate.

9. The Supreme Court had introduced a juvenile criminal justice system that favoured restorative justice and in which the Public Defender's Office, the Public Prosecutor's Office, the National Police and the prison system participated. Family courts had been established and a volunteer network of 75,000 community workers had been built up.

10. Independent monitoring of the implementation of the Convention had increased following the creation of the Office of the Procurator for the Defence of Human Rights and the Office of the Special Procurator for Children and Young Persons.

11. **Ms. Maurás Pérez** (Country Rapporteur) asked why responsibility for coordinating national policy for the care and protection of children and young persons had been transferred from the CONAPINA to the Ministry of the Family, Young Persons and Children.

12. The head of delegation's comments suggested that the National Social Welfare System did not cater solely for the traditionally excluded groups but that it also had responsibility for coordinating and allocating resources benefiting all children. She would appreciate an explanation as to how the multisectoral policy applied in the child sector was coordinated, especially since the head of delegation had not referred to the role of the Ministry of the Family, Young Persons and Children and had invoked only the role of the National Social Welfare System. She would also like to know how the work of the municipal commissions on children and young persons tied in with the work of those two bodies, whether the commissions had specialists in children's rights on their staff and whether they had their own resources.

13. She would also like to know how the new specialist programmes for children such as the Amor Programme and Amor Early Childhood Educational Strategy fitted in with the new National Human Development Plan.

14. Noting that the Ministry of the Family, Young Persons and Children was conducting an evaluation of the National Plan of Action for Children 2002–2011, she wished to know whether a new 10-year plan was envisaged.

15. She also asked for more detail about the Amor Programme, including which body was responsible for its oversight and how it was resourced.

16. With regard to the independent monitoring of implementation of the Convention, she would like to know who appointed the Procurator for the Defence of Human Rights, how the appointment procedure worked and how the funds allocated to the Procurator's Office were applied.

17. She would also like to know what measures the State party had adopted, or envisaged adopting, to ensure that corporations complied with their social and environmental obligations and that they were held to account whenever children's rights were violated.

18. Noting that a report issued by the Procurator for the Defence of Human Rights indicated that the State would need to ensure that training and information on children's rights was available in the private sector, she requested further information on that subject. She would also like to know whether the State party intended to include the Convention and its Optional Protocols in all levels of educational curricula, to translate the relevant texts into other languages, to distribute them in the more remote regions and to work in conjunction with the media to that end.

19. With regard to children's right to be heard, she sought a better understanding of the operation of the Councils for Citizen Power, and in particular whether they were linked to the municipal commissions on children and young persons, whether children were among their members, whether municipal councils in which children and young persons could participate freely still existed and whether those councils and the Councils for Citizen Power played a part in the coordination activities of the Ministry of the Family, Young Persons and Children. She also asked whether children and young persons were guaranteed anonymity in legal proceedings and whether they were represented by specialist defence counsels.

20. It was regrettable that, although the Criminal Code had been revised, parents retained the right to discipline their children. She would like to know how Nicaragua intended to address that situation and whether the new Family Code currently under discussion would include clear provisions in that area. She would also be interested to learn whether the idea of a plan of action to combat corporal punishment and the appointment of a coordinator to oversee its implementation was likely to come to fruition.

21. With regard to violence in general, the Special Procurator for the Defence of the Human Rights of Children and Young Persons (PRONIÑEZ) had detected high levels of impunity and secondary victimization in 10 municipalities visited and had recommended that a new plan for preventing violence against children and young persons and providing care and redress for victims should be adopted. Noting that in 2007 the Committee on the Elimination of All Forms of Discrimination against Women had urged the State party to adopt a comprehensive and integrated approach to combating violence against women and girls, she wondered what progress had been achieved in that area and whether any research had been conducted into the cultural issues and other factors at the root of that violence. She welcomed the work carried out by the Special Police Units for Women and Children and the adoption, in 2008, of the Equal Rights and Opportunities Act. Noting that PRONIÑEZ had been working to establish a task force to promote the appropriate treatment of children and young persons, she wished to know whether the task force had the necessary backing and financial resources.

22. PRONIÑEZ had identified incidents of abuse in 28 children's centres run by the Ministry of the Family, Young Persons and Children. Since the Government planned to adopt measures to combat abuse, how would those measures work and would they include a system of regular, state inspections? More information on that subject would be appreciated.

23. **Mr. Koompraphant** asked whether any specific mechanism for implementing the Code on Children and Young Persons was planned, which persons and bodies were authorized to provide assistance to children and their families, which body was responsible for coordinating the implementation of the Code, what services were planned to encourage and enhance parental responsibility, which persons were authorized to impose child protection and safety measures and in what circumstances, and what the local authorities' responsibilities in such matters were. She would also like to know about the relationship between the Code on Children and Young Persons and the Criminal Code and family law and whether, in cases of abuse, children could be removed from their family environment. Was provision made for non-judicial measures such as mediation, compulsory treatment orders, family conferencing and community service?

24. **Mr. Krappmann** said that, when its third periodic report had been considered in 2005, the State party had been in the process of establishing a comprehensive data collection system for processing information about children from indigenous and minority groups in particular. He had been surprised to learn that the system was still not operational and asked whether the delay was due to a lack of resources and expertise. He would also like to know whether recently collected data included detailed information about indigenous children and children in need of special protection, whether data collection had become more sophisticated in recent years, whether the data collected had been used as a basis for any analysis and whether the Government had any plans to further develop its data collection services.

25. According to data provided in the State party's written replies, although Government expenditure on education and health care had risen, budget allocations to the Ministry of the Family, Young Persons and Children had fallen. He would like to know the reasons behind this downtrend and which of the Ministry's activities were affected by the decline in funding. He was surprised that the figures given in the table on pages 33 and 34 of the written replies, which provided a breakdown of budget allocations by ministry, could not be reconciled with the figures for budget allocations to children and young persons given in the table on page 34, and asked whether the second table included all public expenditure on children and young persons. The introduction of a budget tracking system for monitoring expenditure on children and young persons was advisable. He would welcome the State party's comments.

26. Lastly, noting that, ideally, the health budget should be equal to 5 per cent of GDP and the education budget should be equal to 7 per cent, he enquired about the Nicaraguan Government's budget development objectives.

27. **Mr. Filali** said that, based on the information at his disposal, it appeared that, while the State party was very active in law-making, insufficient funds were assigned to enforcing the laws passed and only a few of them were effectively enforced on the ground. The Education Act and legislation aimed at preventing violence against children were among those not effectively enforced.

28. He wished to learn whether any court judgements based on the provisions of the Convention had ever been issued and whether any case law existed in that area. He would also like to know whether the new Code of Criminal Procedure included a specific section dealing with children, whether children were considered to have rights, whether the Code provided for restorative justice and non-judicial measures and whether it recognized children's right to express their views and to be represented by a duly qualified lawyer.

29. He would also like to know whether any evaluation of the National Plan of Action for Children and Young Persons 2002–2011 had been conducted, whether any problems had been encountered during its implementation and whether the budget allocated was sufficient. He also sought information about poverty reduction measures and, in particular,

whether poor families had access to bank credit, whether the Government had a social housing policy, what assistance was available for parents with children in school and what support was provided for street children.

30. He would also like to know how centralized action to raise awareness and encourage implementation of Government directives was coordinated with equivalent provincial and municipal initiatives and how coordination was maintained between the different ministries and departments with child-related responsibilities.

31. He would also be interested to learn whether police officers received training to help them identify and respond to acts of sexual violence perpetrated against children so that legal proceedings could be instigated against those responsible, and whether abuses of police authority involving child victims were investigated and prosecuted. Noting that corporal punishment was prohibited by law, he wished to learn whether the practice had been effectively eliminated, especially in schools and in the home; how complaints of such punishment were handled; and whether parents were encouraged to adopt non-violent disciplinary techniques.

32. He would also like to hear about the media's contribution to the drive to prevent discrimination and violence against persons of indigenous or African descent and engineer a change of attitudes in that area. Lastly, with regard to the issue of teenage pregnancies, he wanted to know whether the State party was considering adopting a law legalizing abortion.

33. **Mr. Pollar** asked what resources were allocated to the campaign to eliminate discrimination against indigenous peoples and whether school curricula were tailored to the needs of indigenous children, in particular through the provision of mother-tongue instruction.

34. He also sought additional information about legislation on civil and birth registration.

35. **Ms. Varmah**, noting that the minimum legal age for marriage was 14 for girls and 15 for boys and that family law set the age of majority at 21, asked whether the State party planned to change both the age of majority and the minimum legal age for marriage for boys and girls to 18, in line with the Convention. She would also like to know whether, if they wished to marry, young persons under the age of 18 simply required the consent of their parents or whether they must also obtain authorization from the courts. Lastly, she would like to know when the draft Family Code would be adopted.

36. **The Chairperson**, noting that the National Council for the Comprehensive Care and Protection of Children and Young Persons, composed of representatives of non-governmental organizations (NGOs) and civil society associations working in child-related fields, appeared to be no longer active, asked to what extent civil society had participated in the preparation of the report and the written replies to the list of issues, and its role, if any, in policy formulation. Information at his disposal indicated that NGOs were not entirely independent and were somewhat pressured.

37. He would also like to know what community workers were and what they did; whether minors under the age of 18 had the right to form associations; whether they were able to express their views in the media and whether those views were taken into account; whether the child's right to be heard in legal proceedings was respected and, if so, from what age; whether children were guaranteed the right to have their privacy respected at all stages of proceedings; whether there was a code of ethics for journalists and, if so, what action could be taken against journalists who breached the code by disclosing the identity of child victims, particularly child victims of sexual violence. He would also like to know if there were any guidelines for safeguarding children from information and technologies potentially injurious to their well-being.

38. Given the reportedly frequent abuse against juvenile detainees, he sought more information about prison conditions, especially in Bluefields prison, and what, if anything, was being done to improve those conditions and ensure that children for whom detention was the only option were held in decent conditions.

39. He would also appreciate the delegation's comments on teenage suicides, since minors aged between 15 and 18 apparently accounted for 30 per cent of all suicides in Nicaragua.

40. He further asked whether the Office of the Special Procurator for Children and Young Persons was active at the local level, whether the Office had adequate human and financial resources, how much autonomy it enjoyed and what sort of relationship it had with the Office of the Special Procurator for Indigenous Peoples.

41. Lastly, he asked whether, when ruling on issues of separation, divorce and criminal justice, judges based their decisions on the best interests of the child.

The meeting was suspended at 11.15 a.m. and resumed at 11.40 a.m.

42. **Mr. López** (Nicaragua) said that recent years had witnessed the adoption of a number of Acts and administrative provisions prohibiting all forms of violence against children and young persons, including in schools. The sanctions imposed on teachers or members of a school's administrative staff who used violence against pupils ranged from written warnings to criminal proceedings, depending on the severity of the act. The new Family Code, which should be adopted before the end of 2010, would expressly prohibit all forms of corporal punishment or physical abuse in the home. An inter-agency team tasked with eliminating corporal punishment was in the process of drafting a revision of the Criminal Code that would remove the provision giving parents the right to discipline their children, which was the only provision that could be interpreted as authorizing corporal punishment in Nicaragua.

43. **Mr. Filali** asked whether the 2008 Criminal Code contained a definition of torture.

44. **Ms. Maurás Pérez** (Country Rapporteur), noting that in her view legislative measures alone would not suffice to eliminate violence against women and children and that it would also be necessary to effect a change of mentality, asked whether due consideration was being given to gentler, more positive forms of discipline in schools.

45. **Mr. López** (Nicaragua) said that action taken to prevent and eliminate violence and ensure appropriate victim support was not limited to action within the legislative arena. The Ministry of Education had established school councils to raise awareness of the ban on all forms of violence against children among the entire educational community, the parents of pupils and local community leaders. The Ministry of the Family was fostering new ways of raising children within the framework of the Amor Programme and had introduced parenting classes to educate parents about dialogue- and affection-based methods of learning. In addition to its enforcement and victim support activities, the National Police ran a network of community volunteers who worked to encourage the adoption of affection-based models of learning.

46. **Ms. Herczog** asked about measures adopted to prevent victims from being held responsible for attacks.

47. **Mr. López** (Nicaragua) explained that, in providing support for the victims of domestic and sexual violence, the National Police, the Ministry of the Interior, the Ministry of Justice and the Public Defender's Office adhered to guidelines based on avoidance of secondary victimization and credence in victim's testimonies, which must be taken down in appropriate premises. Victims' identities were safeguarded and protection measures were imposed if necessary.

48. With regard to the legal age for marriage, he acknowledged that the Civil Code, which dated back more than a hundred years, was contrary to the Convention in that it permitted girls aged 14 and boys aged 15 to marry with the consent of their parents. A new Civil Code currently at the drafting stage would raise the minimum age for marriage to 18.

49. **Ms. Maurás Pérez** (Country Rapporteur), drawing attention to other legal inconsistencies such as the divergence between the minimum age of admission to employment, the voting age and the age of criminal liability, asked whether they would be eliminated by the new Civil Code.

50. **Mr. López** (Nicaragua) explained that the inconsistencies were a reflection of the different eras in which the legislation in question had been adopted. The new Civil Code would harmonize domestic legislation and bring it into line with the relevant international instruments.

51. Young persons aged between 14 and 18 were permitted to work, but only in certain circumstances. With regard to criminal liability, criminal charges could not be brought against children aged under 13, but young persons aged between 14 and 18 could be held criminally liable for their actions. That situation was indeed contrary to the provisions of the Convention on the Rights of the Child, but cases involving young people were handled throughout by special units of the police and judiciary and the inter-agency teams responsible for performing biopsychosocial assessments of convicted minors ensured that sentences were appropriate. Sentences handed down in the case of young persons were lighter than those imposed on adults and there were numerous alternatives to custody; detention was used as a last resort only and for the most serious offences.

52. **Mr. Filali** asked whether there was a culture of children's rights and juvenile justice among police officers and judges.

53. **The Chairperson** noted that the distinction made between children and young persons in the Nicaraguan legal system did not feature in the Convention, but that the State party was entitled to make that distinction. He wished to know whether the Nicaraguan Government envisaged raising the age of criminal liability.

54. **Mr. López** (Nicaragua) said that for nearly five years the Government had been consulting with specialists in the various fields with a view to bringing the Code on Children and Young Persons into line with the Convention and the prevailing realities in Nicaraguan society. The Criminal Code made a distinction between young persons aged under 15, who could not be sentenced to imprisonment, and those aged over 15, who could be sentenced to imprisonment in the case of serious or repeat offences.

55. **Ms. Maurás Pérez** (Country Rapporteur), referring to information that some child detainees had suffered abuse, queried the effective enforcement of the laws prohibiting torture.

56. **Mr. López** (Nicaragua) said that violence had been at the heart of Nicaraguan society since colonial times and remained prevalent within the police and prison systems, even though the legislation governing the police force and prison system expressly prohibited all forms of abuse. Police officers and prison guards who committed acts of violence were dismissed for serious misconduct. It should be noted that the definition of torture contained in the Criminal Code was more stringent than the definition set forth in the Convention, in that agents of the State were not considered the only potential perpetrators.

57. **Mr. Krappmann** asked whether the Nicaraguan Government had taken account of the United Nations Study on Violence Against Children.

58. **Mr. Filali** asked whether police officers or prison guards guilty of violence could be subject to criminal proceedings, in addition to being dismissed, which was an administrative sanction.

59. **The Chairperson** requested information on the number of investigations initiated and convictions handed down in cases of abuse.

60. **Mr. López** (Nicaragua) said that the Nicaraguan Government took account of the United Nations Study and the recommendations it contained. The Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais, had visited Nicaragua, where she had met with numerous officials and formulated a set of recommendations that the Ministry of the Family had been tasked with implementing. The aim was that the prevention of violence against children and the provision of victim support should be mainstreamed by all competent authorities. On that basis, any administrative sanctions imposed on perpetrators of abuse could in no way constitute an obstacle to criminal proceedings.

61. With regard to civil registration, he conceded that the Nicaraguan Government was struggling to achieve the registration of all children. Measures adopted to address that situation included an undertaking from the Supreme Electoral Council to modernize the electoral roll, with the aid of UNICEF and other United Nations bodies. Mobile civil registration units had been set up to cater for rural areas and indigenous peoples and a draft law on civil registration was due to be adopted in the near future.

62. **Ms. Maurás Pérez** (Country Rapporteur), noting that the situation in respect of newborns differed from the situation of undocumented young persons, said that additional information on measures benefiting the latter group would be welcomed.

63. **Mr. López** (Nicaragua) explained, with regard to civil registration, that Nicaragua had a modern Code on Children and Young Persons but an obsolete Civil Code. The principles established in the Code on Children, such as the prompt issuance of an initial birth certificate free of charge and the immediate registration of newborns, would be incorporated in the new Civil Registration Act in order to ensure their effective application.

64. Family law was also disparate and a product of various eras. The new Family Code would harmonize all legal provisions and, in particular, would enforce the principle of children's right to be heard in any judicial and administrative proceedings affecting them, as established in the Convention. In particular, young persons facing criminal charges had the right to be heard.

65. Children had the opportunity to be heard from the age of 7 upwards. However, the authorities envisaged extending that privilege to younger children through the use of innovative techniques such as drawing, supervised by inter-agency teams.

66. **Mr. González** (Nicaragua), noting that Nicaragua was the second poorest country in Latin America, said that it may be helpful to recall the root causes of its poverty. The 1980s had been an exceedingly difficult decade for Nicaragua. The domestic economy had been virtually annihilated, prompting significant population movements. The adoption of the neoliberal model and introduction of competition in the international market in the 1990s had completed the destruction of a sizeable part of the economy, with appalling consequences for the whole of society, particularly in education and health. During that period, the Government had privatized core services such as health care, education and social welfare, and numerous areas of public policy had been outsourced. The neoliberal model had resulted in exclusion, and poverty had been exacerbated.

67. The current Government had made poverty reduction one of its priorities and had abandoned the neoliberal development model in favour of the human-centred approach epitomized in the National Human Development Plan. Health and education services were

once again free of charge. That change had been difficult to engineer given the country's limited financial resources and lack of adequately trained human resources, but the State party was again committed to meeting its responsibilities in those areas. For that reason, it had decided to redefine the roles of the institutions concerned and to restructure them in line with the new realities. At the same time, it had embarked upon a process of social reorganization that should help resurrect civil society and enable the Government to meet the challenges it faced in health care, education and poverty reduction. To that end, it had adopted a model underpinned by social justice, democracy and the participation of all citizens in the pursuit of common goals.

68. **Ms. Maurás Pérez** (Country Rapporteur) welcomed the recent adoption of the Refugee Protection Act, which established a legal framework for addressing the situation of refugees, including child refugees, and asked which population groups had benefited from the new act and how its adoption had changed their situation on the ground. She would also like more detail about the Amor Programme for children and to learn the reasons behind the very high school dropout rate among indigenous children. She further noted that the data provided were not broken down by population group and did not take account of language specificities. Lastly, she wished to know when the new Civil Registration Act was due to be adopted.

69. **Ms. El-Ashmawy**, noting that the Government was endeavouring to facilitate access to health services for the most vulnerable segments of society, asked for more detailed information about the results, particularly in terms of quality of care, services for newborns and young mothers, breastfeeding strategy and advocacy services for children, especially in indigenous communities. She would like to know what steps had been taken to restructure the health system, whether the Government planned to increase budget allocations to that sector in order to increase the revenues of health service providers, whether there were any disparities between urban and rural areas and whether a system for processing complaints in the event of negligence or medical error was envisaged.

70. With regard to adolescent health, she sought more comprehensive information on HIV/AIDS prevention programmes, abortion and teenage pregnancy rates.

71. **Mr. Koompraphant** expressed considerable concern about sexual violence, particularly in the home, and asked what measures had been adopted to combat that phenomenon, prevent pregnancies, protect children — especially when the abuser was a family member — and prevent their social victimization.

72. With regard to the economic exploitation of children, he wished to know whether the State party had sufficient labour inspectors to monitor places of work, whether minimum standards for working conditions, hygiene and the care of children had been defined, whether employing children was prohibited by law and, if so, whether employers who contravened that prohibition could be prosecuted.

73. He also sought information about existing educational and leisure programmes and steps taken to ensure free, compulsory education for all children up to the age of 14 and thus prevent child labour. Lastly, he asked what steps had been taken to provide assistance for street children and return them to their family or community, and whether domestic legislation established penalties for abusive or negligent parents.

74. **Mr. Krappmann**, while welcoming the State party's educational advances of recent years, said that regional disparities remained a cause for concern. He asked why efforts to increase school enrolment rates in certain regions were not more successful. Noting the persistently high primary education dropout rates, he wondered what could be done to keep children in school; whether incentives such as free school meals could be introduced; and whether improving standards of education and emphasis on its practical use in daily life would not help encourage school attendance. He would also like to know whether the

development of vocational training programmes had helped bring more young people into schools. Noting that a growing number of young children were attending nurseries and kindergartens but that such facilities were generally privately run and beyond the means of poor families, he asked whether the State party could take a more active role in improving the situation.

75. **Ms. Varmah** said that, while she was pleased to learn that the State party had appointed an ombudsman with specific oversight responsibilities for children with disabilities, she did not think that would be sufficient to ensure their social integration. She would like to know whether such children had access to assistance and care services and information about their rights. Noting that discrimination against persons with disabilities was still very widespread, especially in education and health, and that legislation providing protection for children with disabilities was not always respected, she asked for information about measures to prevent disability and integrate and protect children with disabilities. She also enquired about the availability of teachers specializing in the education of children with disabilities, whether the education system met the minimum standards necessary for their education, whether any family support mechanisms were in place, whether there were sufficient specialist health services, and whether any campaigns to raise awareness of and respect for the rights of children with disabilities were envisaged.

76. **Ms. Herczog**, welcoming the Government's decision to make parental responsibility and children's rights the focus of its domestic abuse policy, asked how that policy was implemented in practice — specifically in terms of budget and human resource allocations — and whether persons working with children were familiar with the new legislation applicable in that area. Noting that women were entitled to three months' maternity leave but that World Health Organization (WHO) recommendations advocated breastfeeding for six months, she asked what happened to newborns when their mothers were obliged to return to work and what contribution fathers made to their children's upbringing. She also enquired about preventive and awareness-raising measures to support the campaign against domestic violence and corporal punishment and about the availability of sex education. She also sought an indication of average lengths of placement for the many children who were placed in homes and institutions.

The meeting rose at 1 p.m.