

CHILDREN'S RIGHTS - CHILD LABOUR AND EXPLOITATION

III. CONCLUDING OBSERVATIONS , CONTINUED

CERD

- Côte d'Ivoire, CERD, A/58/18 (2003) 19 at para. 26.

26. The Committee notes with satisfaction that the State party recently ratified ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

- Belarus, CERD, A/59/18 (2004) 50 at para. 265.

265. While acknowledging the awareness-raising efforts made by the State party, the Committee notes with concern that Belarus is a country of transit for the trafficking of women and girls for the purpose of sexual exploitation.

The Committee recommends to the State party that it reinforce ongoing efforts to prevent and combat trafficking and provide support and assistance to victims, wherever possible in their own language. Furthermore, the Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial investigations.

- Kazakhstan, CERD, A/59/18 (2004) 54 at para. 293.

293. While acknowledging that the State party has developed a governmental work plan to combat human trafficking, the Committee notes with concern that there is ongoing trafficking of women and children, particularly affecting non-citizens and ethnic minorities.

...[T]he Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial investigations.

- Venezuela (Bolivarian Republic of), CERD, A/60/18 (2005) 71 at para. 381.

381. The Committee notes with concern that, according to the report by the State party, the indigenous peoples of the upper Orinoco and the Casiquiare and Guainia-Río Negro basins have problems of various kinds. More particularly, in the centres of illegal gold prospecting, there is evidence that indigenous children and adolescents are subjected to labour exploitation and the worst forms of child labour, including servitude and slavery, child

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prostitution, trafficking and sale.

The Committee recommends that the State party adopt urgent measures to tackle this situation...

ICCPR

- Mali, ICCPR, A/58/40 vol. I (2003) 47 at paras. 81(17) and 81(18).

(17) Recalling the efforts undertaken by the State party in this regard, the Committee remains concerned about the trafficking of Malian children to other countries in the region, in particular Côte d’Ivoire, and their subjection to slavery and forced labour (article 8).

The State party should take action to eradicate this phenomenon...

(18) While welcoming the various programmes adopted by the State party, the Committee is very concerned about the situation of migrant girls leaving the countryside for the towns to work as domestic servants and who, according to some reports, work an average of 16 hours a day for very low or non-existent wages, are often the victims of rape and ill-treatment, and may be forced into prostitution (article 8).

The State party should intensify its efforts to punish those responsible for the exploitation of these migrant girls. The State party should adopt and develop appropriate complaint and protection mechanisms...

- Portugal, ICCPR, A/58/40 vol. I (2003) 56 at para. 83(19).

(19) The Committee notes with concern that, despite numerous protective legislative measures, the proportion of juvenile workers has increased in Portugal since 1998 and that no statistics have been gathered regarding the worst forms of child labour (art. 24).

The State party should intensify its efforts to eliminate child labour, conduct studies on the existence of the worst forms of child labour and strengthen the effectiveness of its supervisory system in this area...

- Philippines, ICCPR, A/59/40 vol. I (2003) 15 at para. 63(17).

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(17) The Committee is concerned that the measures of protection of children are inadequate and the situation of large numbers of children, particularly the most vulnerable, is deplorable. While recognizing that certain legislation has been adopted in this respect, many problems remain in practice, such as:

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(c) street children vulnerable to extrajudicial executions and various forms of abuse and exploitation;

...

(e) economic exploitation of children, in particular in the informal sector.

The State party should:

...

(b) Devise programmes for street children which offer support and assistance. Support to relevant non-governmental organisations is encouraged in this respect;

...

(d) In relation to child labour, the State party should pay particular attention to the situation concerning the monitoring and effective implementation of labour standards for street children and children working in the informal sector, as well as those working in the Free Trade Zone.

- Sri Lanka, ICCPR, A/59/40 vol. I (2003) 30 at para. 66(14).

(14) The Committee is concerned about recurrent allegations of trafficking in the State party, especially of children (art. 8).

The State party should vigorously pursue its public policy to combat trafficking in children for exploitative employment and sexual exploitation, in particular through the effective implementation of all the components of the National Plan of Action adopted to give effect to this policy.

- Uganda, ICCPR, A/59/40 vol. I (2004) 47 at para. 70(20).

(20) The Committee has observed with concern the forced employment of children in activities harmful to their health and well-being, as well as the ineffectiveness of the measures adopted to deal with this problem (arts. 8 and 24).

The State party should adopt measures to avoid the exploitation of child labour and to ensure that children enjoy special protection, in accordance with article 24 of the Covenant. It should also provide for effective sanctions against those involved in such practices.

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- Serbia and Montenegro, ICCPR, A/59/40 vol. I (2004) 68 at para. 75(16).

(16) The Committee notes that Serbia and Montenegro is a main transit route for trafficking in human beings and increasingly a country of origin and destination. It welcomes the efforts made by the State party and the measures taken to address the situation regarding trafficking in women and children, including the establishment of national teams to combat trafficking in Serbia and in Montenegro, as well as the introduction of a criminal offence in the criminal codes of Montenegro and of Serbia directed to trafficking in human beings, although some concerns regarding the definition of trafficking remain. The Committee is also concerned at the lack of effective witness protection mechanisms and notes the apparent lack of awareness about trafficking in women and children on the part of law enforcement officials, prosecutors and judges. The Committee notes that shelters and SOS hotlines are managed by non-governmental organizations, which have also organized awareness campaigns, and regrets the lack of adequate involvement by the authorities in these initiatives (arts. 3, 8, 24).

The State party should take measures to combat trafficking in human beings, which constitutes a violation of several Covenant rights, including articles 3 and 24 and the right under article 8 to be free from slavery and servitude. Strong measures should be taken to prevent trafficking and to impose sanctions on those who exploit women and children in this way. Protection should be extended to all victims of trafficking so that they may have a place of refuge and an opportunity to give evidence against the persons responsible in criminal or civil proceedings.

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at para. 82(20).

(20) While noting the policies established by the State party, the Committee is still concerned with the abuses, exploitation, maltreatment and trafficking of children, *inter alia* child labour, as well as with the lack of information regarding that situation in the State party (arts. 23 and 24).

The State party should reinforce measures to combat abuse and exploitation of children, and establish public awareness-raising campaigns regarding children rights.

- Benin, ICCPR, A/60/40 vol. I (2004) 30 at para. 83(24).

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(24) While noting the efforts made by the State party, the Committee expresses its concern at the alarming practice of placing children with a third party as an act of mutual assistance or family or community solidarity (*vidom ons*), which has become a source of trafficking and economic exploitation of children within Benin. It notes with concern that Benin has become a country of transit, origin and destination for international trafficking in children (articles 7, 16 and 24 of the Covenant).

The State party should increase its efforts to combat trafficking in children...It should create mechanisms to monitor the placement of children, increase public awareness and bring criminal proceedings against those engaged in the trafficking in and economic exploitation of children.

- Morocco, ICCPR, A/60/40 vol. I (2004) 35 at para. 84(31).

(31) The Committee notes that child labour is still widespread in Morocco, even though the new Labour Code prohibits work by children under the age of 15.

The State party is requested to take the measures envisaged to implement the provisions of the Labour Code in respect of minors (Covenant, art. 24).

- Kenya, ICCPR, A/60/40 vol. I (2005) 44 at paras. 86(25) and 86(26).

(25) The Committee is concerned about allegations of trafficking of children and instances of child prostitution, as well as the State party's failure to prosecute and punish trafficking offences that have come to the authorities' knowledge and to afford adequate protection to victims (articles 8 and 24 of the Covenant).

The State party should adopt specific anti-trafficking legislation, including for the protection of the human rights of victims, and actively investigate and prosecute trafficking offences. It should implement policy across Government for the eradication of trafficking and for the provision of support to victims of trafficking.

(26) While noting the efforts undertaken by the State party to address the issue of child labour, the Committee expresses its concern at the prevalence of the phenomenon in Kenya, especially in the commercial agricultural sector (articles 8 and 24 of the Covenant).

The State party should intensify its efforts to combat and reduce the incidence of child labour.

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- Mauritius, ICCPR, A/60/40 vol. I (2005) 52 at para. 88(11).

(11) The Committee notes the persistence of child labour and child prostitution (Covenant, arts. 7, 8 and 24).

The State party should pursue and strengthen its measures aimed at eradicating child prostitution and child labour.

- Uzbekistan, ICCPR, A/60/40 vol. I (2005) 56 at para. 89(25).

(25) The Committee notes that child labour is still widespread in Uzbekistan, in particular in the commercial and agricultural sectors and the cotton industry (Covenant, art. 24).

The State party should stop the practice of sending schoolchildren to pick cotton and take effective measures to combat child labour.

- Greece, ICCPR, A/60/40 vol. I (2005) 60 at para. 90(10).

(10) The Committee notes that Greece is a main transit route for trafficking in human beings, as well as a country of destination. While welcoming the efforts made by the State party to fight this scourge, it remains concerned, in particular, about the reported lack of effective protection of the victims, many of whom are women and children, including witness protection mechanisms (arts. 3, 8 and 24).

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(b) The Committee urges the State party to protect unaccompanied alien children and to avoid the unsupervised release of such children into the general population. The absence of child welfare protection increases the danger of trafficking and exposes the children to other risks. The State party should conduct a judicial investigation concerning the approximately 500 children who went missing from the Aghia Varvara institution between 1998 and 2002...

- Yemen, ICCPR, A/60/40 vol. I (2005) 65 at para. 91(17).

(17) The Committee is concerned about reports of trafficking of children out of Yemen and of women coming to or through the country, as well as the practice of expelling trafficked persons from the country without appropriate arrangements for their care (art. 8).

The State party should increase its efforts to combat such practices, while fully addressing the human rights entitlements and needs of the victims...

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- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(14).

(14) The Committee is concerned about the lack of information about abuse, exploitation and maltreatment of children in the State party (arts. 23 and 24).

The State party should reinforce measures to combat abuse, exploitation and maltreatment of children, and strengthen public awareness-raising campaigns regarding children’s rights.

- Thailand, ICCPR, A/60/40 vol. I (2005) 83 at paras. 95(20) and 95(21).

(20) Notwithstanding the serious efforts undertaken by the State party to address the issue of trafficking in persons, including the establishment in March 2005 of the National Committee on Prevention and Suppression of Human Trafficking, and while welcoming the planned enactment of the new law on human trafficking, the Committee remains concerned that Thailand is a major country of origin, transit and destination for trafficking in persons for purposes of sexual exploitation and forced labour. The Committee is also concerned that child prostitution remains widespread. The Committee notes with concern that certain groups are at a particularly higher risk of being sold, trafficked and exploited, i.e. street children, orphans, stateless persons, migrants, persons belonging to ethnic minorities and refugees/asylum-seekers (arts. 8 and 24).

The State party should continue and strengthen its measures to prosecute and punish trafficking and to adequately protect the human rights of all witnesses and victims of trafficking, in particular by securing their places of refuge and opportunities to give evidence. The State party should enact the Suppression of Human Trafficking Bill without delay.

(21) The Committee is concerned about the significant proportion of children, often stateless or of foreign nationality, in the State party who engage in labour and, as explained by the delegation, are often victims of trafficking (arts. 8 and 24).

The State party should strengthen the enforcement of the existing legislation and policies against child labour. Victims of trafficking must be afforded adequate protection. The State party should make every effort, including preventive measures, to ensure that children who engage in labour do not work under conditions harmful to them and that they continue to have access to education. The State party should take action to implement policies and legislation for the eradication of child labour, *inter alia* through public-awareness campaigns and education of the public on the protection of the rights of children.

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- Sweden, ICESCR, E/2002/22 (2001) 106 at paras. 719, 730 and 746.

719. The Committee welcomes the new legislation criminalizing in particular complicity in child pornography and the efforts undertaken by the State party to facilitate the prosecution of perpetrators.

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730. The Committee regrets that sexual exploitation of minors and women committed by Swedish citizens abroad is only punishable if the requirement of "dual criminality" is fulfilled.

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746. The Committee urges the State party to repeal the requirement of "dual criminality" in relation to the offence of sexual exploitation of minors and women committed by Swedish citizens abroad.

- Colombia, ICESCR, E/2002/22 (2001) 110 at paras. 768 and 789.

768. The Committee is concerned about the persistence of child labour in Colombia despite the measures adopted by the State party to address this problem. The Committee also notes with concern that the State party has not ratified ILO Convention No. 182 (1999) concerning the prohibition and immediate action for the elimination of the worst forms of child labour.

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789. The Committee urges the State party to take effective measures to strengthen existing laws on child labour and to improve its monitoring mechanisms in order to ensure that those laws are enforced and to protect children from economic exploitation. In this respect, the Committee urges the State party to ratify ILO Convention No. 182 (1999) concerning the worst forms of child labour.

- Jamaica, ICESCR, E/2002/22 (2001) 130 at paras. 934, 936, 947 and 949.

934. The Committee expresses its concern about the persistence of child labour, particularly in the informal sector. Furthermore, the Committee is concerned that the low minimum working age of 12 years is not adhered to in practice.

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936. The Committee is deeply concerned about the lack of laws, policies or programmes to address explicitly the proliferation of sex tourism and its consequences which include the sexual exploitation and prostitution of women and children and the spread of sexually transmitted diseases. In particular, the Committee is alarmed that school dropout rates have increased as young girls are induced to leave school to enter the sex trade, sometimes even with the consent and encouragement of parents who benefit from their earnings.

...

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947. The Committee recommends that the State party continue as a matter of priority the implementation of its September 2000 memorandum of understanding with ILO...The Committee particularly urges the State party to review the minimum working age, with a view to increasing it, and to endeavour to enforce the minimum age more rigorously. The Committee also urges the State party to ratify the ILO Convention No. 182 (1999) concerning the prohibition and immediate action for the elimination of the worst forms of child labour.

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949. The Committee recommends that the State party undertake urgently legislative and administrative measures to prohibit and penalize sex tourism and the exploitation of women and children in this regard.

- Benin, ICESCR, E/2003/22 (2002) 34 at paras. 172, 173, 191 and 192.

172. The Committee is deeply concerned at the practice of *vidomegon* - the placement of children in domestic service in families where they all too often suffer abuse, violence and exploitation. It is also very concerned about the trafficking in children, both within the country and with other States in the region.

173. The Committee is concerned at the large numbers of children who work, and as a result have no access to education.

...

191. The Committee invites the Government to take all effective legislative, economic and social measures to end the practice of *vidomegon* and to conduct campaigns to alert families, in particular in the poorest parts of the country, to the issue. It urges the State party to step up its efforts to combat trafficking in children, by passing legislation and by entering into agreements with the countries that receive such children.

192. The Committee suggests that the State party should monitor child labour effectively and punish the individuals and business that make use of child labour.

- Trinidad and Tobago, ICESCR, E/2003/22 (2002) 45 at paras. 267, 269, 290 and 292.

267. The Committee is deeply concerned that the minimum age for work, which is too low, in certain cases as low as 12 years, leaves children more vulnerable to exploitation and prejudices their right to education.

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269. The Committee is concerned about the high rate of child labour. In this respect, the Committee notes with concern that the State party has not ratified ILO Convention No.182 (1999) concerning the prohibition and immediate action for the elimination of the worst

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forms of child labour.

...

290. The Committee urges the State party to review and harmonize legislation on the minimum working age and to implement measures to provide children with sufficient legal protection. In this regard, the Committee recommends that the State party ratify ILO Convention No. 138 (1973) concerning minimum age for admission to employment.

...

292. The Committee urges the State party to take effective legislative and other measures in order to address child labour. In this regards, the Committee recommends the State party ratify ILO Convention No.182 (1999) concerning the worst forms of child labour.

- Slovakia, ICESCR, E/2003/22 (2002) 50 at paras. 321 and 335.

321. The Committee is concerned about the persistent problem of trafficking in women, as well as the sexual exploitation of women and children in the State party.

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335. The Committee urges the State party to adopt effective measures, including through regional cooperation, to combat trafficking in women and to adopt preventive programmes to combat the sexual exploitation of women, adolescents and children.

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 349, 364 and 386.

349. The Committee welcomes the recent redefinition of juvenile work, according to which the minimum working age has been raised from 15 to 16 years.

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364. The Committee expresses its concern that the relatively high incidence of child labour in rural areas, as acknowledged by the State party's delegation, has a negative impact on children's health and right to education.

...

386. The Committee...recommends the adoption of legislation in order to regulate child labour in rural areas in such a way that the right to health and right to education of working children are fully protected.

- Georgia, ICESCR, E/2003/22 (2002) 60 at paras. 419 and 437.

419. The Committee is concerned about the high number of children living and/or working in the streets who are often victims of various forms of exploitation, including prostitution and pornography.

...

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437. The Committee calls upon the State party to undertake urgent and effective measures to address the problems faced by children living and/or working in the street, and to protect them against all forms of exploitation.

- Solomon Islands, ICESCR, E/2003/22 (2002) 65 at paras. 456 and 469.

456. The Committee is concerned that the State party has not ratified most of the main ILO conventions relating to economic, social and cultural rights.

...

469. The Committee recommends that the State party consider ratifying the main ILO Conventions relating to economic, social and cultural rights, such as Convention No. 87 (1948) concerning freedom of association and protection of the right to organize, No. 98 (1949) concerning the right to organize and collective bargaining and No. 182 (1999) concerning the prohibition and immediate action for the worst forms of child labour.

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 504 and 519.

504. The Committee is...concerned that the law allows the work of children between 13 and 15 with the written consent of one parent or a guardian and the labour inspector, and that the list of permissible work includes that of an industrial nature.

...

519. The Committee...recommends that the State party review its legislation in order to prohibit under all circumstances the work of children under the age of 15.

- Luxembourg, ICESCR, E/2004/22 (2003) 24 at para. 73.

73. The Committee welcomes the measures undertaken by the State party to combat trafficking in persons, child pornography and sexual exploitation of women and children. In particular, the Committee welcomes the extraterritorial application of certain provisions of the Penal Code, allowing for the criminal prosecution of persons, both nationals and non-nationals, for sexual crimes committed abroad.

- Israel, ICESCR, E/2004/22 (2003) 42 at para. 253.

253. The Committee notes with appreciation the efforts undertaken by the State party to address the problem of trafficking and exploitation of persons, such as the criminalization of trafficking, increased penalties for trafficking of minors, and the enhanced cooperation between government agencies to combat trafficking with a victim-sensitive approach.

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- Yemen, ICESCR, E/2004/22 (2003) 55 at paras. 359 and 378.

359. The Committee is concerned that child labour still persists, especially in the informal sector, despite the adoption of a national strategy and a plan of action for the elimination of child labour.

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378. The Committee...urges the State party to adopt measures to eradicate child labour...

- Guatemala, ICESCR, E/2004/22 (2003) 59 at paras. 412 and 430.

412. The Committee is deeply concerned about the persistent problem of child labour in the State party, especially in agricultural and domestic services.

...

430. The Committee urges the State party to take all necessary measures, legislative or otherwise, to address the persistent problem of child labour, especially in agriculture and domestic services.

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 85 and 107.

85. The Committee notes with concern that trafficking in women and children continues to be a problem in the State party, which is a country of origin and transit, in spite of the existence of the Programme for the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004 and the fact that the new Criminal Code provides for criminal liability for a number of trafficking-related crimes, including trade in people (art. 147), profiting from another person's prostitution (art. 307), and procuring to prostitution (art. 308). Moreover, the Committee regrets that the lack of information on the number of people trafficked does not give an accurate picture of the extent of the problem.

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107. The Committee recommends that the State party reinforce measures under the Programme for the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004, including by strengthening international cooperation in these areas. The State party should also ensure that victims of trafficking have access to crisis centres where they can receive assistance...

- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 138, 139, 159 and 160.

138. The Committee expresses its concern about the high numbers of trafficked women and children who are subjected to forced labour and sexual exploitation, and who are often

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deported to their countries of origin rather than being granted a residence permit, reportedly in an expeditious manner and without the necessary procedural safeguards.

139. The Committee is concerned that, according to information received, an alleged approximate number of 5,800 children below the minimum working age of 15 years illegally work in the streets.

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159. The Committee urges the State party to ensure respect for the necessary procedural safeguards when deporting victims of trafficking in persons, particularly when such victims are children. The State party should also continue and intensify its cooperation with neighbouring countries in combating trafficking in persons, provide medical, psychological and legal support to such victims...

160. The Committee recommends that, in compliance with article 10 of the Covenant, the State party institute criminal proceedings and takes other effective measures against parents or other persons who may be exploiting children below the minimum working age of 15 years illegally working in the streets. The State party should also take measures to ensure regular school attendance by these children, as provided for by article 13 of the Covenant.

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 194 and 214.

194. The Committee is concerned about the rising incidence of trafficking in persons, especially women and children, including for the purpose of domestic work.

...

214. The Committee recommends that the State party take effective measures to combat trafficking in persons, especially in women and children, by ensuring, *inter alia*, that those responsible for trafficking are prosecuted, and to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The Committee recommends that the State party establish support services for victims of trafficking and take steps to sensitize law enforcement officials and the general public to the gravity of this issue...

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 288, 289, 313 and 314.

288. The Committee, while recognizing the efforts of the State party towards combating child labour, deplores the practice of child labour in the State party, especially in agriculture and domestic work.

289. The Committee is deeply concerned about the high incidence of sexual abuse, prostitution of girls and boys under the age of 18 in urban areas, exploitation of children and

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the lack of a comprehensive strategy to address these problems.

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313. The Committee strongly urges the State party to take all possible measures, legislative and otherwise to address effectively the persistent problem of child labour, particularly in agriculture and domestic work.

314. The Committee urges the State party to address the issues of sexual abuse, prostitution of girls and boys and exploitation of children by adopting a comprehensive strategy to address these problems...

- Denmark, ICESCR, E/2005/22 (2004) 49 at paras. 393 and 406.

393. The Committee notes with concern that, in spite of the measures taken by the State party, Denmark continues to face problems of child pornography, sexual exploitation of children, and trafficking in women and children.

...

406. The Committee encourages the State party to continue and strengthen its efforts to address the problem of trafficking in persons, especially women and children, as well as commercial sexual exploitation in the State party...

- Chile, ICESCR, E/2005/22 (2004) 67 at paras. 549 and 573.

549. The Committee is concerned about the high number of children working in the sex industry in the State party.

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573. The Committee recommends that the State party strengthen measures to combat sexual abuse and commercial sexual exploitation of children and provide victims of such abuse with adequate care.

- Zambia, ICESCR, E/2006/22 (2005) 19 at paras. 94 and 116.

94. The Committee expresses its deep concern regarding the persistent and widespread problem of child labour, in particular children working in hazardous occupations such as small-scale mining operations and stone-crushing.

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116. The Committee strongly urges the State party to strengthen its legislative and other measures and to improve its monitoring mechanisms so as to address effectively the persistent problem of child labour, particularly in small-scale mining operations and stone-crushing.

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- China, ICESCR, E/2006/22(2005) 25 at paras. 152 and 181.

152. The Committee expresses its deep concern regarding children working in hazardous occupations such as mining, often in precarious conditions that fall short of labour safety standards. The Committee is also of the view that the “work study” (*qingong jianxue*) programme for schoolchildren constitutes exploitative child labour, in contradiction of the provisions of articles 6 and 7 of the Covenant, and ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, to which China is a party.

...

181. The Committee urges the State party, as a matter of priority, to strengthen its efforts to effectively enforce its legislation prohibiting unlawful employment of children. The Committee also urges the State party to make every effort, including the adoption of preventive measures, to ensure that those children who engage in labour do not work under conditions that are harmful to them. The Committee further encourages the State party to consider withdrawing the “work study” (*qingong jianxue*) programme from its school curriculum.

- China (Hong Kong Special Administrative Region), ICESCR, E/2006/22 (2005) 34 at paras. 214 and 226.

214. The Committee expresses concern about reports of the high incidence of trafficking in persons, especially women and children, into the Hong Kong Special Administrative Region, mainly for the purpose of sexual exploitation. The Committee regrets that it did not receive sufficient information regarding this problem and the measures taken in this respect by the Hong Kong Special Administrative Region.

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226. ...The Committee urges the State party to ensure respect for the necessary procedural safeguards when deporting victims of trafficking in persons, particularly when such victims are minors, and to provide them with the necessary medical, psychological and legal support. The Committee requests the Hong Kong Special Administrative Region to inform the Committee in its next periodic report of the outcome of the Women’s Commission’s study on domestic violence.

- China (Macao Special Administrative Region), ICESCR, E/2006/22 (2005) 38 at paras. 242 and 252.

242. The Committee notes with concern that trafficking in women and children for sexual exploitation is a serious problem in the Macau Special Administrative Region and that

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prosecution of traffickers generally has not been effective.

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252. The Committee recommends that the Macao Special Administrative Region make concerted efforts to combat the phenomenon of trafficking in persons. The Macao Special Administrative Region should also ensure that victims of trafficking have access to crisis centres where they can receive assistance...

- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 286 and 313.

286. The Committee notes with concern that many Roma children below the minimum working age of 15 years work in the informal economy without being covered by the labour code's special provisions on protection of minors.

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313. The Committee recommends that the State party ensure the protection of minors against economic and social exploitation and to take all necessary measures to combat and punish employment of children below the age of 15.

CEDAW

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 393 and 394.

393. The Committee is concerned about reports regarding the great increase in prostitution and, in particular, at the number of girl street children who are exploited as prostitutes. It is concerned that the poverty of women and girls is the major causal factor.

394. Noting the State party's programmes of action to provide street children with shelter, subsistence and education, the Committee urges the State party to continue and extend such programmes and to apply them, appropriately modified and strengthened, to women forced into prostitution by poverty. It also urges giving priority to the prosecution of those who exploit prostitutes and of adults involved in the exploitation of child prostitutes, with the introduction of special legislative provisions, if necessary.

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 49 and 50.

49. The Committee is concerned about the low penalty for those who exploit prostitutes and that those who exploit prostitutes are not prosecuted. The Committee notes with regret that trafficking in women and girls has not been legally defined and has not been given the attention it deserves...

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50. The Committee recommends... the introduction of policies to ensure the prosecution of, and stronger penalties for, those who exploit prostitutes and of adults involved in the exploitation of child prostitutes. The Committee also recommends the formulation of a comprehensive strategy to combat the trafficking of women, which should include the prosecution and appropriate punishment of offenders, witness protection and the rehabilitation of women and girls who have been victims of trafficking...

- Guatemala, CEDAW, A/57/38 part III (2002) 171 at paras. 184, 185, 202 and 203.

184. The Committee expresses concern about the ambiguity of laws dealing with prostitution, particularly child prostitution, which prohibit but do not establish sanctions commensurate with the gravity of the offences. It is further concerned about the high level of child prostitution and sexual exploitation of minors.

185. The Committee recommends that the State party review existing legislation relating to the criminalization of child prostitution and sexual exploitation of minors and take steps to implement its National Plan of Action against Commercial Sexual Exploitation of Children and Adolescents in Guatemala.

...

202. The Committee notes with concern the high incidence of child labour in Guatemala, in particular among girls, and its implications for their personal development and enjoyment of the right to education and health care.

203. The Committee urges the State party to take steps to ensure that all children, especially girls, have access to basic education, health care and the protection of minimum labour standards elaborated by the International Labour Organization.

- Albania, CEDAW, A/58/38 part I (2003) 13 at paras. 70 and 71.

70. Recognizing the efforts made by the State party to address the issue of trafficking in women and girls, including the ratification of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Committee remains concerned about the continuing prevalence of this problem in Albania, which has become a country of origin and transit for trafficked women and girls. It is concerned that victims of trafficking are subject to punishment under the Albanian Penal Code. It is also concerned that prostitutes, but not those who exploit prostitutes, are prosecuted and punished.

71. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, which should include the prosecution and punishment of

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offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls. It recommends the introduction of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives for vulnerable groups, including teenage girls, and social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the State party to ensure that trafficked women and girls have the protection and support they need to enable them to provide testimony against their traffickers. It urges that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support for victims of trafficking. It recommends that the State party review existing legislation and take steps to ensure that victims of trafficking are not penalized and that all those who exploit prostitutes are punished and prosecuted. The Committee further urges the State party to make the issue of trafficking in women and girls a high priority...

- Norway, CEDAW, A/58/38 part I (2003) 61 paras. 421 and 422.

421. The Committee notes with concern that trafficking in women and children for the purpose of sexual exploitation has not yet been defined explicitly as a crime under the penal code or criminalized.

422. The Committee urges the State party to enact relevant legislation in this regard.

- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 56 and 57.

56. The Committee takes note of the Government's efforts to combat sexual exploitation and forced prostitution through the promulgation of Act 7899 on the Sexual Exploitation of Minors and the establishment of the Special Prosecutor for Sexual Offences and of the Sexual Exploitation Unit in the Ministry of Public Security. Nevertheless, the Committee notes with concern that at political and judicial decision-making levels, and in Costa Rican society at large, there does not appear to exist an awareness of the social and cultural implications of the offence of traffic in persons and sexual exploitation of women and girls.

57. The Committee requests the State party to strengthen actions aimed at combatting traffic in persons and sexual exploitation of women and girls, and to encourage awareness in all sectors of Costa Rican society, particularly the judicial and public security authorities, educators and parents, with a view to the implementation of measures to prevent sexual exploitation of children, adolescents and adults. It is also recommended that vigorous measures be taken against traffic in women and girls, and that if necessary, the existing institutions responsible for dealing with this problem be remodelled, promoting the

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reinstatement of participation and cooperation by the non-governmental organizations concerned.

- Brazil, CEDAW, A/58/38 part II (2003) 93 at paras. 116 and 117.

116. The Committee is concerned at the increased rate of the various forms of sexual exploitation of and trafficking in women and girls in Brazil, both internally and across borders. It is particularly concerned about the participation of police personnel and their connivance in sexual exploitation and trafficking and about the impunity of abusers, aggressors, exploiters and traffickers as reported by the State party...

117. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, which should include prosecution and punishment of offenders and protection and support to victims. It recommends the introduction of measures aimed at eliminating women's vulnerability to traffickers, particularly young women and girls. It recommends that the State party enact anti-trafficking legislation and make the fight against trafficking in women and girls a high priority...

- Morocco, CEDAW, A/58/38 part II (2003) 101 at paras. 168 and 169.

168. The Committee is concerned that there is a lack of specific legislation to eliminate violence against women and girls, including domestic violence, and violence against domestic workers.

169. ...The Committee...urges the State party to take steps towards the protection of domestic workers and to ensure that restrictions on child labour are enforced.

- Slovenia, CEDAW, A/58/38 part II (2003) 109 at paras. 208 and 209.

208. The Committee is concerned about the problem of trafficking in women and girls in Slovenia and about the lack of detailed data and information on the phenomenon as well as the lack of a comprehensive strategy to combat it.

209. The Committee recommends the adoption and implementation of a comprehensive strategy to combat trafficking in women and girls, which should include measures of prevention, the prosecution and punishment of offenders and increased international, regional and bilateral cooperation. It recommends the introduction of social support for women and girls who have been victims of trafficking. It further recommends that training of border police and law enforcement officials provide them with the requisite skills to

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recognize and provide support for victims of trafficking...

- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 311, 312, 323 and 324.

311. Although the Constitution guarantees the protection of children and adolescents from trafficking, prostitution, pornography and sexual exploitation, and the law defines the corruption of minors as a serious offence, the Committee is concerned that many such activities are not explicitly defined as serious offences by the Penal Code and that there is insufficient protection for the victims of such offences. The Committee is also concerned at the lack of studies, analyses and gender-disaggregated statistics on the incidence of these activities. The Committee is also concerned that sexual abuse is not defined as an offence; it is especially concerned at the fact that trafficking in women, particularly for the sex industry, is not penalized by law, leaving its victims unprotected.

312. The Committee recommends that the Penal Code should severely penalize these serious offences against children and adolescents, that the appropriate measures should be taken to protect and rehabilitate the victims and that the appropriate studies and analyses should be conducted to enable the Government to deal effectively with the situation. The Committee further believes that trafficking in women, particularly for the sex industry, should be strictly penalized.

...

323. Although labour legislation exists, the Committee notes with concern the lack of a general employment policy giving priority attention to women, the failure to apply labour legislation and the persistence of inequalities, manifested in particular by a gap between men's and women's salaries. The Committee is especially concerned at the persistent high rate of child labour in Ecuador.

324. The Committee recommends that the necessary steps should be taken to guarantee that the provisions of article 11 of the Convention are enforced and that the relevant International Labour Organization conventions ratified by Ecuador are applied, in particular concerning the prohibition of discrimination in employment, the prohibition of child labour and equal pay for women and men. It recommends the adoption of a gender-sensitive employment plan and labour code and the prohibition of child labour.

- Nepal, CEDAW, A/59/38 part I (2004) 34 at paras. 208 and 209.

208. The Committee is concerned at the continuing existence of child marriage and polygamy and other practices, including the institution of dowry, *deuki* (dedicating girls to a god and goddess), *jhuma* (in some communities, second sisters remain unmarried and spend their life in monasteries), *kumari pratha* (having a girl child as living goddess) and

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badi (ethnic practice of prostitution among young girls), that are contrary to the Convention and constitute discrimination against women...

209. The Committee recommends action without delay by the State party to enforce its marriage laws, particularly as they relate to the prohibition of child marriage and polygamy, in the light of general recommendation 21 on equality in marriage and family relations, and urges the State party to take steps to abolish other harmful and discriminatory traditional practices, such as dowry *deuki*, *jhuma*, *kumari pratha*, and *badi*. The Committee also recommends that the State party take comprehensive and effective measures, including the training of the judiciary and law enforcement officials and public awareness-raising campaigns aimed at eliminating these practices...

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 301 and 302.

301. The Committee, while recognizing the efforts of the State party to combat trafficking in women and the exploitation of the prostitution of women, such as adoption of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003, and the appointment of a high-level official on human trafficking and child labour, expresses its concern about the prevalence and extent of this problem in Nigeria, which has become a country of origin and transit of trafficked women and girls...

302. The Committee urges the State party to ensure full implementation of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003, and to develop a comprehensive strategy to combat trafficking in women and girls, including the prosecution and punishment of offenders, counselling and rehabilitation of victims, and awareness-raising and training activities for those involved in combating trafficking. It calls on the State party to intensify international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls...

- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 59 and 60.

59. The Committee is concerned about the lack of sufficient information and data on prostitution in Latvia. Moreover, the Committee is concerned about the involvement of under-age girls in prostitution, and the high demand for under-age prostitutes, as well as the reported insufficient rehabilitation and social integration services available to them.

60. The Committee calls on the State party to take all appropriate measures to suppress exploitation of prostitution of women, including discouraging the demand for prostitution. The Committee calls upon the State party to ensure that under-age girl prostitutes are offered the support they need to be rehabilitated and reintegrated into society. The Committee also

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urges the development of programmes of action and the adoption of all appropriate measures to create educational and employment opportunities for young girls at risk of entering prostitution, and to combat and eradicate the exploitation of these young girls, including the prosecution of, and strong penalties for, those who exploit them.

- Angola, CEDAW, A/59/38 part II (2004) 118 at paras. 156 and 157.

156. The Committee is concerned that prostitution continues to thrive, owing to the poverty of women and girls. The Committee is also concerned about the exploitation of prostitutes, especially of young girls, and the lack of information about the efforts to combat this phenomenon...

157. The Committee urges the State party to pursue a holistic approach in order to provide women and girls with educational and economic alternatives to prostitution, to facilitate the reintegration of prostitutes into society and to provide rehabilitation and economic empowerment programmes to women and girls exploited in prostitution. The Committee further calls on the State party to take appropriate measures to suppress the exploitation of prostitution of women, including through the discouragement of the demand for prostitution...

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 304 and 305.

304. In spite of the existence of legislation on child labour and the efforts and programmes to eradicate the practice, the Committee is highly concerned about the high rate of child labour that persists in the Dominican Republic and the fact that work done by girls over the age of 10 is included in the official statistical data on the labour force.

305. The Committee urges the State party to continue its efforts to eradicate child labour, to support education as a means of empowering those boys and girls in the future, to ensure that there is clear comprehension of and effective compliance with the minimum working age and to remove data on child labour from the official labour force statistics.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 283-286.

283. While appreciating the State party's efforts to address the issue of trafficking in women and girls, including the ratification of the United Nations Convention against Transnational

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Organized Crime in 2003, its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2004 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2003, and the establishment of an inter-agency board including representatives of civil society to combat trafficking, the Committee is concerned that domestic legislation has not been put in place in line with those instruments and that provisions on sexual exploitation and trafficking of girls and boys are absent from the Childhood and Adolescence Code. It also expresses concern about the lack of a comprehensive plan to prevent and eliminate trafficking of women and to protect victims, as well as the lack of systematic data collection on this phenomenon.

284. The Committee recommends that the State party bring its domestic legislation into line with the ratified international instruments and implement and fully fund a national strategy to combat trafficking in women and girls, which should include the prosecution and punishment of offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination of trafficked women and girls. It recommends that the State party address the causes of trafficking and introduce measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, educational initiatives and social support measures, and rehabilitation and reintegration measures for women and girls who have been victims of trafficking.

285. While taking note of the amendments to the Labour Code in regard to domestic workers, the Committee remains concerned about the lack of enforcement of the Code in the public and private sectors...The Committee is particularly concerned about the high number of girls performing domestic work without remuneration.

286. The Committee urges the State party to put in place effective monitoring mechanisms to ensure the enforcement of existing legislation, particularly as it applies to domestic workers...The Committee requests the State party to address the issue of girls performing domestic work by bringing its legislation and policies into line with its obligations under International Labour Organization Conventions No. 138 and No. 182, concerning respectively the minimum age of 14 years for admission to employment and the elimination of the worst forms of child labour. It also encourages the State party to implement awareness-raising campaigns through the media and public education programmes on the situation of girls performing domestic work. The Committee urges the State party to address the underlying causes of the high incidence of girls performing domestic work.

- Benin, CEDAW, A/60/38 part II (2005) 116 at paras. 149 and 150.

149. The Committee is concerned about the absence of policies and programmes, including

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legislation, to address violence against women and the economic exploitation and ill-treatment of young girls employed as domestic servants...

150. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to combat violence against women and girls, in accordance with its general recommendation 19 on violence against women. The Committee calls on the State party to enact legislation on domestic violence, including marital rape, and legislation concerning all forms of sexual abuse, and to ensure that women and girls, including domestic servants, who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. The Committee recommends that training be undertaken for the judiciary and public officials, particularly law enforcement personnel, and for health-service providers, so as to ensure that they are sensitized to all forms of violence against women and can adequately respond to it. It also recommends the implementation of awareness-raising campaigns, through the media and public education programmes, and working towards a zero-tolerance policy on all forms of violence against women...

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 197 and 198.

197. The Committee expresses concern at the limited information provided in the report on the sexual exploitation and trafficking of women and girls in the Gambia, and on measures taken to combat these phenomena effectively. The Committee is particularly concerned about the phenomenon of sex tourism in the country.

198. The Committee requests the State party to introduce legislation on the prohibition of trafficking, to implement effectively legislation on the exploitation of the prostitution of women and to prosecute offenders. It recommends that the State party put in place programmes for promoting women's economic independence so as to eliminate their vulnerability to exploitation, and measures for the rehabilitation and social reintegration of women and girls who are victims of exploitation and trafficking. The Committee calls upon the State party to ensure the implementation of the 2003 Tourism Offence Act and to enhance cooperation with tourists' countries of origin aimed at preventing and combating sex tourism...

- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 343 and 344.

343. While the Committee welcomes the adoption of a law to prevent and combat trafficking in children for purposes of exploitation of their labour, it is unclear that this legislation covers trafficking of children, especially girls, for sexual exploitation. The Committee is further concerned that similar measures have not been taken with respect to

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trafficking in women.

344. The Committee urges the State party to intensify its efforts to combat trafficking in girls and women for sexual exploitation. The Committee recommends that the State party implement a national strategy to combat trafficking in girls and women, which should include the prosecution and punishment of offenders and measures aimed at improving the economic situation of girls and women so as to eliminate their vulnerability to traffickers, educational initiatives, social support measures and rehabilitation and reintegration measures for girls and women who have been victims of trafficking.

CAT

- Cyprus, CAT, A/58/44 (2002) 21 at para. 33.

33. The Committee welcomes the recent legislative, administrative and institutional developments that took place in the State party since the consideration of its previous periodic report, namely:

...

(d) The enactment of a new law in 2000 for the suppression of trafficking in persons and of the sexual exploitation of children;

...

CRC

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 76 and 77.

76. The Committee is concerned about the high number of children engaged in labour, in particular children working in agriculture, in the informal sector and in the street, including the talibés who are exploited by their teachers. While recognizing the efforts undertaken by the State party to stop cases of trafficking of children towards Arab countries, it remains concerned that girls involved in domestic service are often not paid or underpaid and that involuntary servitude is reported to exist in some isolated areas.

77. In light of article 32 of the Convention, the Committee recommends that the State party:

(a) Continue to undertake measures to prevent and combat all forms of economic exploitation of children;

(b) Complete the ratification process and implement ILO Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the

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Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;
and

(c) Seek assistance from ILO/IPEC in this regard.

- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 134, 135 and 140-143.

134. ...The Committee notes with regret the reported incidents of sexual abuse and exploitation of children in the school environment.

135. ...The Committee strongly encourages the State party to take effective measures to protect children, especially girls, against sexual abuse and violence in the school environment and to facilitate care and the rehabilitation of child victims in this regard...

...

140. The Committee notes with appreciation that the State party has signed a memorandum of understanding with ILO and that various ILO/IPEC programmes to prevent and combat child labour are being carried out. The Committee also welcomes the establishment of a National Steering Committee on child labour. Nevertheless, and in the light of the current economic situation, the increasing number of school drop-outs and the increasing number of street children, the Committee is concerned about the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation in the State party. The Committee notes also with concern that notwithstanding various legal provisions there is no firm minimum age for admission to employment and that child labour is still prevalent in the State party.

141. The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sectors. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour. The Committee urges the State party to establish a clear legal minimum age for employment, in particular for those working in the agricultural sector. The Committee encourages the State party to further develop and strengthen the collaboration with ILO/IPEC.

142. The Committee notes that the State party participated in the World Congress against Commercial Sexual Exploitation, held in Stockholm in 1996, and subsequently established a National Plan of Action to prevent and combat the commercial sexual exploitation of children. However, the Committee is concerned about the large and increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in domestic labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children who are the victims of such abuse and exploitation.

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143. In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution, child sex tourism and child pornography, and implementing appropriate preventive and rehabilitative policies and programmes for child victims. The Committee recommends that the State party reinforce its efforts in implementing the National Plan of Action formulated in accordance with the Declaration and the Agenda for Action adopted by the World Congress against Commercial Sexual Exploitation of Children at Stockholm in 1996.

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 197-200.

197. The Committee welcomes the State party's ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). It further welcomes information that Oman has introduced policies embodied in this convention as well as ILO Recommendation No. 190, and that it is conducting a review of legislation with a view to raising the minimum age of employment from 13 to 16 years. However, the Committee is concerned about the lack of information on child labour within the agricultural and domestic service sectors.

198. The Committee recommends that the State party:

- (a) Undertake a national survey on the causes, extent and impact of child labour;
- (b) Implement the ILO Minimum Age Recommendation, 1973 (No. 146) and the Worst Forms of Child Labour Recommendation, 1999 (No. 190);
- (c) Consider ratifying the ILO Minimum Age Convention, 1973 (No. 138); and
- (d) Seek assistance from, among others, the ILO.

199. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular it is concerned that sometimes very young children are involved and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3(1) of ILO Convention No. 138.

200. In accordance with article 32 of the Convention and ILO Convention No. 182, which the State party has ratified, the Committee recommends that the State party:

- (a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No.

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190;

(b) Undertake efforts to develop a regional initiative in this regard, including bilateral and multilateral cooperation; and

(c) Seek assistance from the ILO.

See also:

- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 318 and 319.

- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 234 and 235.

234. The Committee notes the State party's recent initiative to develop mechanisms allowing doctors, teachers and other relevant professionals to lodge complaints of alleged sexual abuse or exploitation of children (Law 99 of 25 August 2001).

235. The Committee recommends that the State party:

(a) Strengthen the monitoring of and collection of data on cases of abuse and neglect of children;

(b) Make it mandatory for professionals to report to an appropriate body cases of abuse, including sexual abuse, and ensure the provision of appropriate training and adequate protection for professionals called upon to make such reports;

(c) Ensure the provision of rehabilitation assistance to child victims of abuse.

- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 291, 292, 320 and 321.

291. The Committee is concerned that the minimum ages for marriage and employment are unclear under Qatari law.

292. The Committee recommends that the State party review its legislation so that the minimum-age requirements for marriage and employment conform to the principles and provisions of the Convention, are gender neutral and are explicit, and ensure that they are enforced by law.

...

320. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that sometimes very young children are involved; are trafficked, particularly from Africa (i.e. the Sudan) and South Asia; and are

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denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3 (1) of ILO Convention No. 138.

321. The Committee recommends that the State party in accordance with article 32 of the Convention and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which the State party has ratified:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No. 190;

(b) Implement - in compliance with all international labour standards - the recommendations of the Committee established by the Supreme Council of Family Affairs to examine the issue of children in camel racing;

(c) Continue to strengthen its efforts to undertake a regional initiative in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from ILO.

- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 383-386, 389 and 390.

383. While noting the recent ratification by the State party (August 2001) of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, the Committee is deeply concerned that child labour in the State party is extremely widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also concerned at practices of forced labour among children belonging to certain groups of the population, such as the Pygmies and the Kirdi.

384. The Committee recommends that the State party:

(a) Consider ratifying and implementing ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(b) Adopt and implement the national plan of action to combat child labour;

(c) Strengthen the implementation of the labour laws and increase the number of labour inspectors;

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(d) Continue to seek assistance from ILO with a view to participating in IPEC.

385. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

386. The Committee recommends that the State party:

(a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(b) Facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them;

(c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

...

389. The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in child labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation.

390. In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the extent of the commercial sexual exploitation of children, including for prostitution and pornography, and implementing appropriate policies and programmes for its prevention and for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.

- Gambia, CRC, CRC/C/111 (2001) 89 at paras. 421, 422 and 458-461.

421. The Committee is concerned that there is no clear legal definition of the child in the State party and that various legal minimum ages which are inconsistent with the Convention, discriminatory and/or too low have been set.

422. With reference to paragraph 60 of the State party's initial report, the Committee encourages the State party to take the necessary legislative measures:

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...

(c) To establish clear legal minimum ages for compulsory education, employment and enlistment in the armed forces, in accordance with the principles and the provisions of the Convention.

...

458. The Committee is concerned at the high number of children who are begging in the streets. The Committee notes that these child beggars, referred to as *almudus*, are scholars under the guardianship of Islamic religious education teachers called *marabouts*. The Committee is concerned at their vulnerability to police brutality, sexual abuse and exploitation and economic exploitation.

459. The Committee recommends that the State party conduct a study in order to better assess the scope of this phenomenon and introduce programmes to discourage and prevent child begging, and to involve the Islamic religious education teachers or *marabouts* in these programmes.

460. In light of the current economic situation and the increasing number of school drop-outs, the Committee is concerned about the large number of children engaged in labour and the lack of information and adequate data on the situation of child labour and economic exploitation within the State party. The Committee also notes with concern that there is no legal minimum age for employment in accordance with ILO Convention No. 138 concerning Minimum Age for Admission to Employment. Grave concern is expressed about the increasing number of child labourers, including domestic servants.

461. The Committee encourages the State party to introduce monitoring mechanisms to ensure the enforcement of labour laws and protect children from economic exploitation, particularly in the informal sectors. It is further recommended that the State party undertake a comprehensive study to assess the situation of child labour, including in the informal sector, children working on the streets and domestic workers. The Committee urges the State party to establish a clear legal minimum age for employment.

- Paraguay, CRC, CRC/C/111 (2001) 103 at paras. 492, 493, 516 and 517.

492. The Committee reiterates its concern about the disparity between the legal minimum age for admission to employment (12 years) and the age for the end of compulsory education (15 years).

493. The Committee recommends that the State party increase the minimum age for admission to employment in order to prevent children from starting to work before the completion of compulsory education.

...

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516. The Committee expresses its deep concern at the increasing number of children who are exploited economically, in particular those under 14 years of age. In particular, it notes cases of abuse of girls in domestic service and a large number of children working in the streets, often at night and in unhealthy conditions, especially in the capital, Asunción. It also notes that ILO Convention No. 138 concerning Minimum Age for Admission to Employment has not been ratified.

517. In light of article 32 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 43), the Committee reiterates that the State party should:

- (a) Continue to enforce and strengthen its legislation protecting working children;
- (b) Combat and eradicate as effectively as possible all forms of child labour, including by strengthening its cooperation with ILO/IPEC; and
- (c) Ratify ILO Convention No. 138 concerning Minimum Age for Admission to Employment.

- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 654 and 655.

654. The Committee is concerned at practices of sexual violence and exploitation of children, including child prostitution, primarily affecting girls but also including boys, such as on the island of Sal. The Committee is concerned that, with increasing tourism, sexual exploitation of children may increase and that there may be incidents of trafficking in children.

655. The Committee recommends that the State party:

- (a) Conduct a study to assess the extent of the sexual exploitation and prostitution of and potential trafficking in children;
- (b) Strengthen its efforts to address sexual violence and exploitation of children, including prostitution, *inter alia* through the judicial system, the media and through information campaigns, while also ensuring the protection of children's right to privacy and other relevant concerns;
- (c) Take action to prevent the trafficking of children and to identify and implement solutions;
- (d) Develop a National Plan of Action to address sexual exploitation, taking into account the recommendations formulated in the Agenda for Action adopted at the World Congress Against Commercial Exploitation of Children, held in Stockholm in 1996;

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(e) Seek technical assistance from UNICEF.

- Lebanon, CRC, CRC/C/114 (2002) 11 at paras. 50, 51, 85 and 86.

50. ...[W]hile noting the very positive steps taken to raise the minimum age for the completion of compulsory education (12 years) and the plans to raise the age further to 15 and to increase the minimum age of employment to the end of the thirteenth year, the Committee is concerned about the gap between the two ages.

51. The Committee recommends that the State party:

...

(c) Pursue its plans to erase the gap between the school-leaving age and the minimum age for employment by increasing both to 15, in conformity with ILO Convention No. 138.

...

85. While noting the measures taken by the State party in this sector, including raising the minimum age for employment, the Committee is concerned that despite stricter laws on child labour, a high percentage of working children are involved in activities which represent a danger to their health and development. The Committee welcomes the collaboration with ILO/IPEC in combating and preventing child labour.

86. The Committee recommends that the State party:

(a) Continue and strengthen its cooperation with ILO/IPEC and carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards, as well as strengthen labour inspections and law enforcement; and

(b) Make every effort to ratify and implement ILO Convention (No. 138) on the Minimum Age for Admission to Employment and seek assistance from ILO in this regard.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 162, 163, 168 and 169.

162. The Committee is concerned:

(a) At the large number of children under the minimum age for working reported to be working in the State party, particularly in rural and/or disadvantaged communities;

(b) While noting the State party's provision in its report of data from 1992 to 1995, at the absence of precise up-to-date data on child labour practices.

163. The Committee recommends that the State party:

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(a) Collect and maintain up-to-date data on the number of children who are working;

(b) Take steps to reduce the numbers of underage children working, giving particular attention to the agricultural, fishing, street trade, garment manufacturing, construction and tourism industries, and giving particular attention to children from disadvantaged communities.

...

168. Welcoming the State party's recent bill in this regard, the Committee remains concerned:

(a) At reports of the sexual exploitation of children;

(b) At reports of children being trafficked into, and sometimes through, the State party for, *inter alia*, sexual exploitation;

(c) At the absence of available official statistics on the sexual exploitation and/or trafficking of children;

(d) At the lack of protection under the law of boy prostitutes.

169. The Committee recommends that the State party:

(a) Undertake a study on the causes and scope of sexual exploitation and trafficking of children, including by gathering reliable data on their incidence;

(b) With reference to the recommendations formulated in the Agenda for Action and the Global Commitment adopted at the World Congresses against Commercial Exploitation of Children, held in 1996 and 2001, develop a national plan of action to address the sexual exploitation and trafficking of children covering, *inter alia*, all aspects of assistance to child victims, and ensure that the plan is implemented in all regions of the country, including through the prosecution of persons responsible for such acts;

(c) Ensure that in the context of any cross-border efforts to address trafficking, the best interests of the children concerned are a primary consideration;

(d) Strengthen its efforts to identify and report on practices of child sexual exploitation and strengthen cooperation with NGOs working in this field;

(e) Strengthen its actions to assist child victims of such abuse, including through the provision of counselling and health and social services.

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- Gabon, CRC, CRC/C/114 (2002) 47 at paras. 233-237.

233. Noting the recent ratification (March 2001) of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the adoption (June 2001) of a law which can strengthen the enforcement of the labour law regarding children, the Committee is deeply concerned by the fact that child labour in the State party is still widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

234. The Committee recommends that the State party:

(a) Consider ratifying ILO Convention No. 138 concerning Minimum Age for Admission to Employment;

(b) Adopt and implement the national plan of action to prevent and combat child labour;

(c) Provide adequate human and other resources and training to the labour inspectorate and other law enforcement agencies in order to further strengthen their capacity to effectively monitor the full implementation of child labour legislation;

(d) Continue to seek assistance from ILO/IPEC.

235. While noting the criminalization of trafficking of children in a recent Act of 2001 and the establishment of a national inter-ministerial committee to fight against trafficking in children, and the serious commitment of the State party with regard to this issue, the Committee is deeply concerned at the large number of trafficked children, particularly children coming from abroad, who are still exploited, mostly in the informal labour market, or enslaved.

236. The Committee encourages the State party to pursue its efforts:

(a) To set up a comprehensive programme to prevent and combat the sale and trafficking of children;

(b) To implement appropriate policies and programmes for the rehabilitation and recovery of child victims and for access to basic services by children who are awaiting repatriation;

(c) To monitor the bilateral agreement with Benin and extend this cooperation to other countries where trafficked children come from, as well as envisage signing agreements with these countries;

(d) To carry out an awareness-raising campaign to prevent this phenomenon.

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237. In addition, the Committee recommends that the State party ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted in 2000, and the Convention on the Civil Aspects of International Child Abduction adopted at The Hague in 1980.

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 289, 290, 305, 306 and 313-316.

289. The Committee remains concerned that:

...

(b) Children in rural areas are sometimes used to settle financial and other disputes, with families sending their children to work for periods of time to settle debts;

...

290. The Committee recommends that the State party:

...

(c) End the practice of using children to settle debts.

...

305. While noting the State party's significant efforts in this domain, including the construction or renovation of many primary schools in the 1990s, the provision of free school materials to many children, increases in primary school enrolment rates, efforts to improve the access to education of girls and to train teachers, the fall in the repetition and drop-out rates, the Committee remains concerned that:

...

(e) Girls continue to have less access to education than boys above the primary school level; literacy levels among girls, particularly those over 15, are extremely low; less importance is placed by parents and communities on the education of girls than of boys; some practices, such as excessive domestic work required of girls, early marriage and early pregnancy, contribute to limiting girls' access to education; and only 20 per cent of students who enter higher (tertiary) education are girls;

...

(i) There is alleged corruption and sexual abuse and economic exploitation of pupils by professionals, including teachers, in the school system;

...

306. Noting the State party's own recommendations in its initial report, the Committee recommends that the State party:

...

(e) Make greater efforts to ensure that girls have the same opportunities as boys to attend formal education; take steps to ensure that the education of girls is seen, by parents, families and communities, as of equally important as that of boys and that education is seen as a right of all children; address traditional and other practices, such as excessive domestic work, which prevent girls from attending formal education; ensure that pregnancy does not lead

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to the banning of girls' attendance at school; consider recruiting and training more women teachers; make particular efforts to support girls seeking higher education; make every effort to implement its own policies; seek technical assistance from UNICEF in this regard;

...

(i) End practices of corruption and sexual abuse and economic exploitation of pupils in the education system;

...

313. Noting the measures taken by the State party to assess the causes of child labour and to assess existing legislation setting the minimum age of labour at 15 and regulating the work of children aged 15 to 18 and scope of child labour, the Committee is concerned that:

- (a) Many children work, including children under 15;
- (b) Many parents and families require children to work as a means of overcoming the extreme poverty they face;
- (c) The scale and intensity of child labour prevents many children from attending school;
- (d) Child labourers are the victims of economic exploitation and work in very poor conditions, including without insurance or social security benefits, with very low wages, for long hours and in dangerous and/or abusive conditions;
- (e) The use of children, particularly girls, as domestic workers is rising;
- (f) There is no national plan to combat child labour.

314. The Committee recommends that the State party:

- (a) Devise a national plan of action to address child labour concerns, and seek technical assistance from ILO/International Programme on the Elimination of Child Labour (IPEC);
- (b) Make greater efforts to reduce the numbers of children working in the formal and informal sectors, with particular emphasis on younger children;
- (c) Make every effort to ensure that children do not work in conditions that are harmful to them and that they receive appropriate wages and other work-related benefits, with particular reference to article 32 of the Convention;
- (d) Make every effort to ensure that those children who do work, in accordance with international standards, continue to have access to formal education;
- (e) Ratify ILO Conventions 138 concerning the Minimum Age for Admission to

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Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

(f) Ensure the implementation and enforcement of all domestic and international legal protections for children in this regard.

315. The Committee is concerned that:

(a) Child prostitution is practised and, according to recent evidence is increasing, especially in the Maputo, Beira and Nacala areas and in some rural areas;

(b) Some children are victims of trafficking for the purposes of prostitution;

(c) As noted by the State party in its initial report (para. 646), “the police’s poor knowledge of the main legislation protecting children from prostitution ... their ignorance of children’s rights” and the “lack of guidance on the role of police intervention in this field, as well as the absence of institutions dedicated to the recovery of the child victims” are factors contributing to the vulnerability of children to exploitation.

316. The Committee recommends that the State party:

(a) Take action to end trafficking, child prostitution and other forms of sexual exploitation of children, with particular attention to the Maputo, Beira and Nacala areas and in relevant rural areas;

(b) In line with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children, develop a national plan of action to address the sexual exploitation of children, including with regard to cross-border trafficking and exploitation;

(c) Continue and strengthen the 1997 campaign against the sexual exploitation of children, entitled “Break the silence and end child prostitution” and consider expanding it to include, for example, efforts to educate hotel staff and other relevant workers in the tourist industry on the prevention of child prostitution;

(d) Avoid the prosecution of child victims of prostitution or related offences;

(e) Develop mechanisms to identify the sexual exploitation of children and to work with law enforcement agencies to recover children who are being exploited;

(f) Continue and strengthen training for the police and social services on children’s rights and concerns with regard to child prostitution;

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(g) Implement its own recommendations (as described in paragraph 637 of the State party's report), including:

The revision and implementation of legislation on child prostitution and the sexual abuse of minors;

The development of public education programmes targeting parents, families, schools and the public in general;

The provision of legal, psychological and medical support, including rehabilitation services, for victims.

See also:

- Sudan, CRC, CRC/C/121 (2002) 53 at paras. 282 and 283.
- Chile, CRC, CRC/C/114 (2002) 90 at paras. 373-376.

373. The Committee, while noting that the State party has ratified ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and increased the minimum age for admission to work to 15, expresses its deep concern at the large number of children, including those under 15, who are exploited economically, especially in the farming sector, and the large number who have to leave school because they cannot conciliate work and school.

374. In light of article 32 of the Convention, the Committee recommends that the State party:

- (a) Continue to enforce and strengthen its legislation protecting working children in accordance with ILO Conventions Nos. 138 and 182;
- (b) Implement and monitor the National Plan to Prevent and Eradicate Child Labour;
- (c) Establish a reliable system to gather information on child labour;
- (d) Combat and eradicate as effectively as possible all forms of child labour, including by strengthening its cooperation with ILO/IPEC and UNICEF.

375. The Committee, while taking note of the establishment of a working group to prepare a plan of action against commercial sexual exploitation of children, expresses its concern that, with regard to the phenomenon of commercial sexual exploitation of children, there are

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no data available, legislation is inadequate, cases involving sexually exploited children are often not investigated and prosecuted, child victims are registered and therefore may be subjected to criminalization, and social reintegration programmes are not available. It further notes that prostitution of boys is on the rise.

376. In light of article 34 of the Convention, the Committee recommends that the State party:

(a) Undertake a study on this issue in order to assess its scope and causes, enable effective monitoring of the problem and develop all necessary measures and programmes to prevent, combat and eliminate sexual exploitation and abuse of children, including by developing social reintegration programmes;

(b) Decriminalize prostitution of children and protect children from commercial sexual exploitation up to the age of 18;

(c) Develop and adopt a national plan of action against sexual and commercial exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children; and

(d) In this regard, seek international cooperation from, among others, UNICEF, ILO and WHO.

See also:

- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 83 and 84.
- Malawi, CRC, CRC/C/114 (2002) 104 at paras. 397, 398, 434 and 435.

397. The Committee is concerned about the various legal minimum ages, which are inconsistent, discriminatory and/or too low. In particular, the Committee is concerned that the Constitution defines a child as any person below the age of 16 years, at the too low minimum age of criminal responsibility (7 years), and the absence of a clear minimum age for employment.

398. The Committee recommends that the State party take the necessary legislative measures:

...

(d) To set a clear minimum age for access to employment in accordance with international standards;...

...

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434. ...The Committee notes with concern the reported incidents of sexual abuse and exploitation of children within the school environment.

435. The Committee recommends that the State party:

...

(i) Provide children with a safe school environment by, *inter alia*, taking all necessary steps to prevent abuse and exploitation of children by school personnel, taking effective disciplinary measures against school personnel who have committed those offences and reporting these incidences to the competent authorities, notably through child-sensitive structures for complaints;

...

- Andorra, CRC, CRC/C/114 (2002) 134 at paras. 543 and 544.

543. Noting the attention given by the State party to children under 16 working in a family context, the Committee is concerned that such work may interfere with children's right to education.

544. The Committee recommends that the State party continue and strengthen its efforts to ensure respect for the rights of children under 16 working in a family context, particularly the right to education.

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 80, 81, 84 and 85.

80. While noting the efforts underway to address this concern, the Committee is concerned that, as noted by the State Party in its report, the economic exploitation of children is extremely serious and growing worse (paras. 250-253) and that, in particular (para. 142), the numbers of children working in the non-formal sector are increasing and that children are often compelled to perform the same work as adults, in highly difficult and dangerous conditions.

81. The Committee recommends that the State party make every effort to:

(a) Combat the economic exploitation of children through labour, with particular regard to the informal work sector;

(b) Ensure respect for the minimum age of employment, in accordance with international standards;

(c) Ensure that working children above the age of 14 benefit from adequate and full

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protection, including with regard to conditions of work and pay;

(d) Make every effort to ensure that children who work continue to have access to education;

(e) Ratify and implement ILO Conventions 138 concerning the Minimum Age for Admission to Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

...

84. The Committee is concerned at the lack of information regarding the activities of the very high proportion of children who do not go to school. There are indicators that these children may, in urban areas, be involved in prostitution or may spend much time on the street, where they are vulnerable to many kinds of exploitation (for example, in drug-trafficking, sexual exploitation, drug abuse).

85. The Committee recommends that the State party:

(a) Undertake a study to assess the situation of children not attending school and to implement, based on the results of the study, all appropriate measures to protect effectively children from all forms of exploitation, including through prevention and the rehabilitation and recovery of child victims;

(b) Prepare a plan of action to address the sexual exploitation of children, taking note of the recommendations made in the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(c) Seek regional cooperation in this regard.

- Belgium, CRC, CRC/C/118 (2002) 29 at paras. 120 and 121.

120. The Committee reiterates its satisfaction with the numerous measures taken by the State party to combat the sexual exploitation and trafficking of children. It is nevertheless concerned that trafficking for the purposes of sexual or other exploitation is still a problem.

121. The Committee recommends that the State party:

(a) Fully implement the recommendations of the national commission of experts;

(b) Continue to implement policies and programmes in accordance with the Declaration and Agenda for Action, and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

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- (c) Continue to recruit female police officers to improve communication and contacts with foreign girls and women working in prostitution;
 - (d) Ensure that adequate resources (human and financial) are allocated to policies and programmes in this area;
 - (e) Continue to undertake awareness-raising campaigns in countries of origin;
 - (f) Expand cooperation with countries of origin and transit;
 - (g) Continue to cooperate with the International Organization for Migration.
- Niger, CRC, CRC/C/118 (2002) 37 at paras. 148, 149 and 189-194.
 - 148. ...[T]he Committee is concerned at the fact that the minimum age for employment is fixed at 14 years while education is compulsory until 16 years.
 - 149. ...[T]he Committee recommends that the State party harmonize the ages for child labour and compulsory education by increasing the minimum age for employment.
...
 - 189. The Committee is deeply concerned that child labour in the State party is widespread, particularly in the informal sector, and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also deeply concerned at the existence of slavery in some parts of the country.
 - 190. The Committee recommends that the State party:
 - (a) Adopt and implement the national plan of action to prevent and combat child labour;
 - (b) Provide adequate human and other resources and training to the labour inspectorate and other law enforcement agencies in order to strengthen further their capacity to monitor effectively the full implementation of child labour legislation and relevant ILO Conventions;
 - (c) Take all necessary measures to eliminate the worst forms of child labour, including slavery, in the State party, in conformity with article 12 of the Constitution, and raise awareness among the population on this issue, involving traditional leaders;
 - (d) Seek innovative approaches, such as alternative education or non-formal education, to give educational opportunities to children who are older and have to work;
 - (e) Seek assistance from ILO.

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191. The Committee is concerned at the number of children who are begging in the streets. The Committee notes that some of these child beggars are pupils under the guardianship of Islamic religious education teachers. The Committee is concerned at their vulnerability to all forms of exploitation.

192. The Committee recommends that the State party prohibit child begging, introduce sensitization programmes to discourage and prevent it and take all necessary measures in collaboration with traditional and religious leaders and parents to stop this practice.

193. The Committee is concerned at the increasing number of child victims of sexual exploitation, including for prostitution and pornography, especially among child labourers and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

194. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party conduct a study with a view to assessing the extent of the commercial sexual exploitation of children, including prostitution, pornography, and trafficking; and implement appropriate policies and programmes for prevention and for the recovery and social reintegration of child victims, in accordance with the 1996 Declaration and Agenda for Action and the 2001 Global Commitment adopted by the World Congresses against Commercial Sexual Exploitation of Children.

- Belarus, CRC, CRC/C/118 (2002) 54 at paras. 252 and 253.

252. The Committee is concerned about the information that Belarus is a country of origin and transit for the trafficking of children, in particular girls, for the purpose of sexual and other forms of exploitation. The Committee notes that there is a lack of information and knowledge about this phenomenon and about problems such as sexual exploitation, drug abuse and the involvement of children in the drug trade, and economic exploitation, often related to trafficking.

253. In light of articles 32 to 36 of the Convention, the Committee recommends that the State party:

(a) Undertake a study on the issue of trafficking and trafficking-related problems, such as sexual exploitation, drug abuse and the involvement of children in the drug trade, and economic exploitation, in order to assess their scope and causes, and develop and implement effective monitoring and other measures to prevent them;

(b) Combat and eliminate child trafficking, sexual exploitation, drug abuse and trade and

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economic exploitation, including by developing social integration programmes; and

(c) Develop and adopt a national plan of action against sexual and commercial exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Tunisia, CRC, CRC/C/118 (2002) 68 at para. 261.

261. In light of the previous recommendations ([CRC/C/15/Add.39], para. 9) the Committee ...commends the amendment to the Labour Code raising the minimum age for admission to employment to 16 years, which is the age for completion of compulsory education...

- United Arab Emirates, CRC, CRC/C/118 (2002) 90 at paras. 406 and 407.

406. Despite noting some efforts by the State party, the Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that very young children are sometimes involved; that children are trafficked, particularly from Africa and South Asia for this purpose; that children are denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations, which has previously indicated to the State party that the employment of children as camel jockeys constitutes dangerous work under article 3, paragraph 1, of ILO Convention No. 138.

407. In accordance with article 32 of the Convention and ILO Conventions Nos. 138 and 182, which the State party has ratified, the Committee recommends that the State party:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention on the Rights of the Child and ILO Convention Nos. 138 and 182, taking into account ILO Recommendations Nos. 146 and 190;

(b) Undertake awareness-raising campaigns on trafficking in countries of origin and strengthen cooperation with those countries;

(c) Undertake a regional initiative (e.g. through the Gulf Cooperation Council) in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from the ILO and UNICEF.

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- Spain, CRC, CRC/C/118 (2002) 117 at paras. 516 and 517.

516. The Committee expresses its concern at reports of child prostitution in the suburbs of large cities and in holiday resorts, involving vulnerable children living on the fringes of society.

517. The Committee recommends that the State party:

(a) Protect all persons under 18 from all forms of sexual exploitation, even when children have consented, under the pressure of money, threats or, allegedly, "freely", to such acts;

(b) Organize campaigns for protection against sexual abuse, prostitution and child pornography;

(c) Implement the National Plan of Action against Commercial Sexual Exploitation of Children 2002-2003.

- The Netherlands (Antilles), CRC, CRC/C/118 (2002) 129 at paras. 583 and 584.

583. The Committee is concerned at:

(a) The absence of data and of a comprehensive study on the issue of sexual exploitation and sexual abuse of children;

(b) The limited programmes available for providing physical and psychological recovery and social reintegration of child victims of such abuse and exploitation;

(c) Legislation making sexual exploitation of children only a criminal offence up to the age of 16 and not 18, and the exclusion of boys from this legislation.

584. In light of article 34 of the Convention, the Committee recommends that the Netherlands Antilles:

(a) Implement appropriate policies and programmes for prevention and for the reintegration and recovery of child victims according to the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Extend coverage of legislation to ensure protection of children from sexual exploitation up to the age of 18;

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(c) Undertake studies with a view to assessing the scope of exploitation of children, including for prostitution and pornography.

- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 32, 33, 85 and 86.

32. The Committee welcomes the signing of a memorandum of understanding with the International Programme on the Elimination of Child Labour (IPEC) and the establishment in 2000 of a National Commission for the Eradication of Child Labour.

33. The Committee notes with satisfaction the adoption of a National Plan of Action against the Sexual Commercial Exploitation of Children.

...

85. The Committee is concerned that the phenomenon of child prostitution, especially in big cities, is increasing. It further notes that, although a National Plan of Action to Combat Commercial Sexual Exploitation of Children was adopted in 2000, coordinated policies and programmes on this issue have yet to be formulated.

86. In light of articles 32 to 36 of the Convention, the Committee recommends that the State party:

(a) Undertake a study on the issue of commercial sexual exploitation and trafficking of children in order to assess its scope and causes and develop effective monitoring and other preventive measures;

(b) Combat and eliminate commercial sexual exploitation and trafficking of children, including through the enforcement of the National Plan of Action and the development of social integration programmes and policies and programmes for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/121 (2002) 23 at paras. 147-150.

147. The Committee is concerned that the national minimum wage does not apply to young workers above the minimum age of employment, and that therefore they can be at risk of being economically exploited. The Committee notes that policies with regard to minimum wage reflect programmes of the State party aimed at encouraging young people to study and improve their skills. Nevertheless, the Committee is concerned that these policies may discriminate against children who must work.

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148. The Committee recommends that the State party reconsider its policies regarding the minimum wage for young workers in light of the principle of non-discrimination.

149. The Committee welcomes the 2001 national plan for safeguarding children from commercial sexual exploitation and the 1997 memorandum of understanding signed between the State party and the Government of the Philippines to combat the sexual exploitation of children. It is, nevertheless, concerned that trafficking for sexual exploitation or other exploitation is still a problem and that sexually exploited children are still criminalized by law.

150. The Committee recommends that the State party:

- (a) Undertake a study on the scope, causes and background of child prostitution;
- (b) Review its legislation so as not to criminalize children who are sexually exploited;
- (c) Continue to implement policies and programmes in accordance with the Declaration and Agenda for Action, and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;
- (d) Ensure that adequate resources, both human and financial, are allocated to policies and programmes in this area.

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 209 and 210.

209. The Committee is concerned at the lack of data and information on the problem of sexual exploitation of children, including child prostitution and pornography.

210. The Committee recommends that the State party undertake a comprehensive study of child sexual exploitation and prostitution which assesses the magnitude of the problem, proposes possible solutions that address its root causes and evaluates the availability and appropriateness of services for the care and protection, recovery and social reintegration of the victims, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Sudan, CRC, CRC/C/121 (2002) 53 at paras. 280, 281, 284 and 285.

280. The Committee welcomes the work of the Committee for the Eradication of Abduction of Women and Children. However, it remains concerned that the State party's legislation

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does not adequately prohibit slavery or sanction those engaged in it and that thousands of children have been abducted and enslaved in the context of the armed conflict as well as for commercial gain (i.e. sold as servants, agricultural labourers and concubines, or forcibly recruited as soldiers).

281. The Committee recommends that the State party:

- (a) Ensure that child slavery is prohibited under domestic legislation and in accordance with the Convention and other relevant international standards;
- (b) End all forms of slavery and abduction of children within the State party and, in this context, urgently implement the provisions of Commission on Human Rights resolution 2001/18;
- (c) Prosecute those persons engaged in the abduction, sale, purchase or illegal forced recruitment of children;
- (d) Continue and strengthen the work of the Committee for the Eradication of Abduction of Women and Children, including through making available greater financial resources and giving the Committee more authority at the regional and local levels;
- (e) Provide assistance to children returning from slavery or abduction with reintegration in their families and communities;
- (f) Seek international cooperation in this regard.

...

284. The Committee is concerned at increasing instances of sexual exploitation of children, including through prostitution.

285. The Committee recommends that the State party strengthen its efforts to address the sexual exploitation of children.

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 357 and 358.

357. The Committee, while noting the creation of the Ministry of Labour and Social Policy in 1996, which is responsible for monitoring compliance with the labour legislation, particularly in respect of children, remains concerned that there is inadequate enforcement of the Ukrainian Labour Code, in particular with regard to hazardous and forced labour, and that a large number of children are reported to be working, particularly in the informal sector.

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358. The Committee recommends that the State party:

- (a) Undertake a national survey on the causes and extent of child labour with a view to adopting and implementing a national plan of action to prevent and combat child labour;
- (b) Continue efforts to protect all children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental or social development.

- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 414-417.

414. The Committee welcomes the recent ratification by the State party of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, but remains concerned at the high incidence of child labour in the State party and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

415. The Committee recommends that the State party:

- (a) Combat and eradicate as effectively as possible all forms of child labour;
- (b) Seek assistance from ILO with a view to participating in the International Programme on the Elimination of Child Labour (IPEC).

416. The Committee notes that some measures have been developed to combat trafficking, but is nevertheless deeply concerned about the serious proportions of trafficking of girls from Moldova. It notes with concern that there is no precise information about the real dimensions of this phenomenon and that very little support in terms of rehabilitation and reintegration is provided to the victims of trafficking.

417. In light of articles 32 to 36 of the Convention, the Committee recommends that the State party:

- (a) Undertake a study on the issue of trafficking in order to assess its scope and causes, and develop and implement effective monitoring and other measures to prevent it;
- (b) Adopt legislative measures against trafficking and take all necessary measures to strengthen the National Committee against Trafficking, and further develop clear strategies and activities, including for prevention, protection and social reintegration;
- (c) Include life-skills education in school curricula;

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(d) Develop and adopt a national plan of action against sexual and commercial exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(e) Consider ratifying the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the Convention.

- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 448, 449 and 479-482.

448. ...[T]he Committee is concerned at the difference between the minimum age of employment (14 years) and the age for the end of compulsory education (16 years).

449. The Committee recommends that the State party:

...

(b) Take all necessary measures to ensure that employment of children does not interfere with their right to education.

...

479. While noting with appreciation the ratification by the State party of ILO Conventions No. 138 concerning the Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the ongoing programme with the International Programme for the Elimination of Child Labour (ILO/IPEC) the Committee is deeply concerned at the fact that child labour in the State party is widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

480. The Committee encourages the State party to continue its collaboration with ILO/IPEC. In addition, the Committee recommends that the State party strengthen the implementation of its labour laws and increase the number of labour inspectors.

481. While welcoming the efforts undertaken by the State party to combat child trafficking through a national programme and, in particular, the adoption of a travel document with five other countries of the region, the Committee is deeply concerned at the number of trafficked children who are exploited in the State party and in neighbouring countries.

482. The Committee recommends that the State party:

(a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

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(b) Facilitate the reunification of child victims with their families and provide adequate care and reintegrative programmes for them;

(c) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

(d) Continue to seek assistance from ILO/IPEC.

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 541 and 542.

541. While noting the increased efforts of the State party to cooperate in regional programmes to prevent trafficking and repatriate victims, the Committee is nevertheless concerned that Poland continues to be a country of origin, destination and transit for children trafficked for sexual exploitation.

542. The Committee recommends that the State party:

(a) Proceed with its intention to ratify the Worst Forms of Child Labour Convention (No. 182) of the International Labour Organization (ILO) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and develop a national plan of action on commercial sexual exploitation of children, as agreed at the first and second World Congresses against Commercial Sexual Exploitation of Children, held in Stockholm in 1996 and Yokohama, Japan, in 2001, respectively;

(b) Ensure that all persons under 18 involved in prostitution and the production of pornographic materials are not criminalized and enjoy full protection;

(c) Train law enforcement officials, social workers and prosecutors in how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner;

(d) Ensure that all victims of trafficking and forced prostitution have access to appropriate recovery and reintegration programmes and services.

- Israel, CRC, CRC/C/121 (2002) 131 at paras. 610 and 611.

610. The Committee notes the establishment of an inter-ministerial and inter-organizational committee to combat the commercial sexual exploitation of minors, its activities, and the involvement of non-governmental organizations in this area. However, the Committee is

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concerned that these and other efforts have so far had a limited impact.

611. The Committee recommends that the State party take all necessary measures to increase the effectiveness of these efforts to address the commercial sexual exploitation of minors by, among other things, providing the necessary financial and other resources.

- Estonia, CRC, CRC/C/124 (2003) 9 at paras. 70 and 71.

70. The Committee is concerned at the insufficient information and awareness of the extent of commercial sexual exploitation and trafficking of children. It is also concerned that there is no specific prohibition in law of trafficking in human beings, including for the purpose of prostitution.

71. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the causes, nature and extent of sexual exploitation and trafficking of children, including prostitution and child pornography (including on the Internet), and implement appropriate policies and programmes for prevention and protection and for the recovery and social reintegration of child victims, in accordance with the 1996 Declaration and Agenda for Action and the Global Commitment adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held in 2001.

- Republic of Korea, CRC, CRC/124 (2003) 24 at paras. 81, 132 and 133.

81. The Committee welcomes the legislation enacted to implement further the Convention on the Rights of the Child, in particular the Special Act for Punishment of Domestic Violence of 1997, which addresses investigation and reporting of cases of child abuse, and the Juvenile Protection Act of 2000, which criminalizes persons involved in the purchase of sexual services from those under 19 years of age.

...

132. The Committee welcomes the enactment in 2000 of the Juvenile Protection Act, which aims to penalize those purchasing sexual services from children. However, the Committee is concerned that the Act is not being effectively implemented and that there are limited data available on the prevalence of child sexual exploitation. It is also concerned at reports of the widespread phenomenon of *Wonjokyuje* in which adolescent girls engage in a sexual relationship with older men for money.

133. The Committee recommends that the State party:

- (a) Develop a national plan of action on commercial sexual exploitation of children, which

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includes measures for effective data collection, as agreed at the first and second World Congresses against Commercial Sexual Exploitation of Children, held in 1996 and 2001, respectively;

(b) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner;

(c) Ensure that all victims of sexual abuse and exploitation have access to appropriate recovery and reintegration programmes and services;

(d) Develop preventive measures that target those soliciting and providing sexual services, such as materials on relevant legislation on the sexual abuse and exploitation of minors, and education programmes, including programmes in schools on healthy lifestyles.

- Italy, CRC, CRC/124 (2003) 36 at paras. 188-191.

188. The Committee notes the recent report of the National Statistics Institute regarding child labour in the State party and expresses its concern at the high prevalence of this phenomenon in the State party.

189. The Committee recommends that the State party develop, on the basis of the recent study, a comprehensive strategy containing specific and well-targeted goals aimed at preventing and eliminating child labour through, *inter alia*, awareness-raising activities and detection of the factors involved.

190. The Committee welcomes the adoption of Act 269/98 against the exploitation of prostitution, pornography, and sexual tourism targeting children and the establishment of an Inter-Ministerial Committee for the Coordination of the Government Action Against Child Abuse and Trafficking in Minors and Women for Sexual Purposes. Nevertheless, the Committee remains concerned at the numbers of children who are trafficked for sexual purposes in the State party.

191. The Committee recommends that the State party:

(a) Strengthen its efforts to prevent and combat trafficking in children for sexual purposes, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Monitor the implementation of Act 269/68, especially as it addresses the issue of the “demand side” of sexual exploitation;

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(c) Ensure that adequate resources, both human and financial, are allocated to policies and programmes in this area.

- Romania, CRC, CRC/124 (2003) 49 at paras. 254-257.

254. The Committee is encouraged by the ongoing efforts of the State party, in cooperation with ILO and others, aimed at addressing the problem of child labour in Romania. However, the Committee is concerned that the number of children working in the city streets, in rural areas and in households is still high, and that:

(a) As a means of overcoming poverty many children as young as 6 years are engaged in regular work;

(b) Some children entitled to work do so in very poor conditions, including without insurance or social security benefits, for very low wages, for long hours, and in dangerous and/or abusive conditions.

255. The Committee recommends that the State party, in accordance with article 32 of the Convention and ILO Conventions Nos. 138 concerning the Minimum Age for Admission to Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which the State party has ratified:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Conventions Nos. 138 and 182, taking due account of the ILO Minimum Age Recommendation, 1973 (No. 146) and the Worst Forms of Child Labour Recommendation, 1999 (No. 190);

(b) Continue its cooperation with IPEC, as well as strengthen its cooperation with and support for NGOs working in this area.

256. The Committee notes the establishment in 2001 of a national Task Force on Trafficking, the adoption of a national plan of action on trafficking, as well as the increased efforts of the State party to cooperate in regional programmes to prevent trafficking and assist victims. Nevertheless, the Committee is concerned that Romania continues to be a country of origin, of transit and, to a lesser extent, of destination for trafficked children, as also noted by CEDAW in June 2000 (A/55/38, paras. 308-309).

257. The Committee recommends that the State party:

(a) Accelerate and ensure sufficient resources and qualified staff for the effective implementation of the National Action Plan for Combating Sexual Exploitation of Children

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for Commercial Reasons, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Ensure that all persons under 18 years involved in prostitution and the production of pornographic materials are not criminalized and enjoy full protection;

(c) Train law enforcement officials, social workers and prosecutors in how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner;

(d) Ensure that all victims of trafficking and forced prostitution have access to appropriate recovery and reintegration programmes and services.

- Viet Nam, CRC, CRC/C/124 (2003) 67 at paras. 316 and 317.

316. The Committee welcomes the State party's ratification of ILO Convention No. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. However, it remains concerned that the incidence of the economic exploitation of children remains widespread in the agricultural sector as well as in gold mines, timber operations, the service sector and other private sector enterprises. The Committee is also concerned at the high number of children living and working on the street.

317. The Committee recommends that the State party:

(a) Ratify and implement ILO Convention No. 138 concerning Minimum Age for Admission to Employment;

(b) Develop and implement a comprehensive child labour monitoring system for both rural and urban areas in collaboration with NGOs, community-based organizations, law enforcement personnel, labour inspectors and the ILO International Programme on the Elimination of Child Labour (ILO/IPEC);

(c) Continue to strengthen the National Plan of Action for Children in Difficult Circumstances (1999-2002) and, as previously recommended, undertake a study on why children are living and working on the street, in order to develop strategies to effectively address the root causes of this phenomenon.

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 379-383.

379. The Committee welcomes the ratification by the State party of ILO Convention No.

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182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. The Committee notes with concern that ILO Convention No. 138 remains unratified, that there are no programmes or activities for the prevention and protection of children against economic exploitation, and that statistical data are lacking. Furthermore, the Committee is concerned that many children, including those under 15 years of age and as young as 7 years, perform regular labour in agriculture, family enterprises and as models.

380. The Committee recommends that the State party:

- (a) Undertake a study on the causes and extent of child labour with the aim of preventing and improving the situation of child labour;
- (b) Continue efforts to protect all children from economic exploitation through the establishment of an effective mechanism for inspection;
- (c) Protect all children above 15 years from performing any work that is likely to be hazardous, to interfere with the child's education, or to be harmful to the child's health or physical, mental or social development;
- (d) Make every effort to ensure that those children above 15 who do work legally continue to have access to education;
- (e) Ratify ILO Convention No. 138 concerning the Minimum Age for Admission to Employment.

381. The Committee welcomes:

- (a) The establishment in the spring of 2002 of a trilateral Czech-German-Polish working group to address, *inter alia*, trafficking in human beings, in particular the sexual exploitation of children for prostitution occurring in these areas;
- (b) The information contained in the State party's report (paras. 334 and 335) on social, preventive and resocialization programmes for victims of sexual exploitation, as well as the adoption in July 2000 of the National Plan to Fight Commercial Sexual Abuse of Children and amendments to the Criminal Code and Code of Criminal Procedure made in 2002;
- (c) The significant work done by NGOs in this field.

382. The Committee remains concerned at:

- (a) Reports of increased instances of sexual abuse of children and the low rate of reporting

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such crimes;

(b) The lack of a comprehensive system of protection and assistance by qualified professionals to all child victims of sexual abuse and of commercial sexual exploitation;

(c) The lack of follow-up to the recommendations from the 1997 visit of the Special Rapporteur on the sale of children, child prostitution and child pornography;

(d) The lengthy duration of investigations into child trafficking;

(e) The failure to date to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

383. The Committee recommends that the State party:

(a) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, social reintegration, access to health care and psychological assistance, in a coordinated manner, including by enhancing cooperation with NGOs;

(b) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the 15-18 age group;

(c) Implement outstanding recommendations of the Special Rapporteur on the sale of children, child prostitution and child pornography, *inter alia* those related to the cross-border trafficking problem;

(d) Sensitize professionals and the general public to the problems of sexually abused children through education, including media campaigns;

(e) Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

- Haiti, CRC, CRC/124 (2003) 95 at paras. 428, 429, 446-449, 452 and 453.

428. The Committee welcomes the Act prohibiting corporal punishment (August 2001) within the family and at schools, but remains concerned at the persistent practice of corporal punishment by parents or teachers and the ill-treatment of child domestics (*restaveks*)...

429. The Committee recommends that the State party:

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(a) Take all necessary measures for the effective implementation of the law prohibiting corporal punishment, in particular by making use of information and education campaigns to sensitize parents, teachers, other professionals working with children and the public at large to the harm caused by corporal punishment and to the importance of alternative, non-violent forms of discipline, as foreseen in article 28, paragraph 2, of the Convention;

...

446. The Committee is deeply concerned at the high number of under-age children who work long hours, which has a negative effect on their development and school attendance.

447. The Committee recommends that the State party:

(a) Strengthen the implementation of its labour laws and increase the number of labour inspectors;

(b) Ratify ILO Conventions Nos. 138 concerning the Minimum Age for Admission to Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(c) Seek technical assistance from, among others, ILO.

448. The Committee is deeply concerned at the situation of child domestic workers (*restaveks*), in particular at the low age (12 years), contained in article 341 of the Labour Code, at which children can be placed with families, taking into account that, in practice, even younger children are involved. The Committee notes with concern that these children, most of them girls, are forced to work long hours under harsh conditions and without being paid, and are subjected to ill-treatment and abuse, including sexual abuse.

449. The Committee recommends that the State party urgently:

(a) Repeal article 341 of the Labour Code and ensure observance of a minimum age for employment of 15 years;

(b) Take all the necessary measures to prevent and end under-age employment through a comprehensive strategy, notably by holding debates and awareness campaigns, providing guidance and support to the most vulnerable families, and addressing the root causes of the phenomenon;

(c) Properly investigate cases of violence, through a child-sensitive judicial procedure, and apply sanctions to perpetrators;

(d) Ensure that *restaveks* are offered services for their physical and psychological recovery and social reintegration, including access to education.

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...

452. The Committee is deeply concerned at the high incidence of trafficking of children from Haiti to the Dominican Republic. The Committee is concerned that these children, once they are separated from their families, are forced to work or beg in the Dominican Republic.

453. The Committee recommends that the State party take all necessary measures to prevent the trafficking of Haitian children to the Dominican Republic. In particular, the Committee recommends that the State party conclude an agreement with the Dominican Republic for the repatriation of trafficked children to Haiti and for tightening border controls. The Committee recommends that the State party continue to seek assistance from, among others, UNICEF and the International Organization for Migration.

- Iceland, CRC, CRC/124 (2003) 109 at paras. 498 and 499.

498. The Committee welcomes information about a newly adopted law on child pornography (2000). It further welcomes the report of a government study on the extent of child prostitution and pornography, containing various recommendations. However, the Committee is concerned at the rather low age for sexual consent (14 years), which may not provide adequate protection for children older than 14 years against sexual exploitation.

499. The Committee recommends that the State party:

(a) Take all necessary measures to implement promptly the recommendations contained in the government report referred to above;

(b) Take legislative measures to ensure that children older than 14 years are effectively protected from sexual exploitation;

(c) Formulate and implement a national plan of action to combat sexual exploitation, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Eritrea, CRC, CRC/C/132 (2003) 8 at paras. 79-82.

79. The Committee welcomes the State party's ratification of ILO Convention No. 138 in 2000. Nevertheless, it remains concerned at the significant number of children working on the street, in the agricultural sector and as domestic servants.

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80. The Committee recommends that the State party:

(a) Undertake a survey of the number of children working as domestic servants and in the agricultural sector in order to design and implement policies to prevent and combat economic exploitation of children in these sectors;

(b) Continue to strengthen the implementation of the Street Children Rehabilitation Programme;

(c) Ratify the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

81. Although the State party recognizes that prostitution, including child prostitution, is not a serious problem, the Committee notes with concern the lack of specific data on the commercial sexual exploitation of children.

82. The Committee recommends that the State party:

(a) Expedite the adoption and implementation of the Eritrean Child Law and the National Plan of Action to Rehabilitate Commercial Sex Workers;

(b) Undertake a study of children involved in the commercial sex industry and use the data to design policies and programmes to prevent commercial sexual exploitation of children, including through the development of a National Plan of Action on Commercial Sexual Exploitation of Children as agreed at the first and second World Congresses against Commercial Sexual Exploitation of Children held in 1996 and 2001;

(c) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner that respects the privacy of the victim;

(d) Prioritize recovery assistance and ensure that education and training as well as psychosocial assistance and counselling are provided to victims;

(e) Cooperate with countries in the region to combat commercial sexual exploitation and trafficking of children.

- Cyprus, CRC, CRC/C/132 (2003) 21 at paras. 143 and 144.

143. The Committee welcomes the enactment in 2000 of the Law on the Combating of Trafficking of Persons and Sexual Exploitation of Minors and the Protection of Witnesses Law of 2001 making specific provision for the protection of child witnesses. While noting

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that the State party does not consider that problems relating to trafficking or other forms of sexual exploitation exist, the Committee remains concerned that such problems may remain “hidden” and that the authorities may be unaware of them. In particular, the Committee refers to the concerns expressed by the Special Rapporteur on the sale of children, child prostitution and child pornography that Cyprus is being used as a transit point for trafficking of young women, including minors.

144. The Committee recommends that the State party strengthen its efforts to identify, prevent and combat trafficking in children for sexual purposes, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Zambia, CRC, CRC/C/132 (2003) 32 at paras. 213 and 214.

213. The Committee notes the signing of a memorandum of understanding with ILO/IPEC on the National Programme on the Elimination of Child Labour in 2000 and the first results of this programme, such as the withdrawal of 1,481 children from the worst forms of child labour, as indicated in the written replies. The Committee nevertheless remains concerned at the large number of working children in the State party.

214. The Committee recommends that the State party:

(a) Pursue and strengthen its effort to implement its National Programme on the Elimination of Child Labour;

(b) Reinforce monitoring mechanisms to ensure that labour laws are enforced and that children are protected from economic exploitation, particularly in the informal sectors, and pursue its efforts to withdraw children from the worst forms of child labour and take all necessary measures to rehabilitate them, notably through education;

(c) Continue to seek assistance from ILO/IPEC and UNICEF.

- Sri Lanka, CRC, CRC/C/132 (2003) 48 at paras. 276 and 277.

276. The Committee welcomes the State party’s ratification of ILO Conventions Nos. 138 and 182 in 2000 and 2001, respectively. Nevertheless, it remains concerned at the high proportion of children, including very young ones, working as domestic servants, in the plantation sector, on the street and in other parts of the informal sector.

277. The Committee recommends that the State party continue its efforts to eliminate child

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labour, in particular by addressing the root causes of child economic exploitation through poverty eradication and access to education, as well as by developing a comprehensive child labour monitoring system in collaboration with NGOs [non-governmental organizations], community-based organizations, law enforcement personnel, labour inspectors and ILO/IPEC.

- Solomon Islands, CRC, CRC/C/132 (2003) 58 at paras. 302, 303, 335 and 336.

302. The Committee is concerned at the many inconsistencies in the minimum ages used in various areas of the law, and notes in particular that:

...

(c) The minimum age for employment is too low (12 years);

...

303. The Committee recommends that the State party:

...

(c) Raise the minimum age for employment;

...

335. The Committee is concerned that:

(a) Many children under 15 are working, often in very poor conditions and for long hours;

(b) In order to overcome extreme poverty, many parents and families require children to work, as illustrated by the prevalence of young girls working as domestics, sometimes within the extended family;

(c) The prevalence of child labour prevents many children from attending school.

336. The Committee recommends that the State party:

(a) Ensure the implementation and enforcement of all domestic and international legal protection for children in this regard, in close collaboration with ILO/IPEC;

(b) Make greater efforts to reduce the number of children working in the formal and informal sectors, with particular emphasis on younger children;

(c) Make every effort, including taking preventive measures, to ensure that those children who do work do so in accordance with international standards, do not work under conditions which are harmful to them, receive appropriate wages and other work-related benefits and continue to have access to formal education;

(d) Ratify ILO Conventions No. 138 concerning the Minimum Age for Admission to

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Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

- Libyan Arab Jamahiriya, CRC, CRC/C/132 (2003) 74 at paras. 388 and 389.

388. The Committee is concerned about reports of trafficking of children to the State party for the purposes of prostitution and slavery. The Committee is concerned that there is a lack of information on and awareness of the trafficking and prostitution of children.

389. The Committee recommends that the State party:

- (a) Undertake a national study on the nature and extent of these phenomena;
- (b) Take legislative and other measures to combat these practices;
- (c) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to respect for his/her physical and mental integrity.

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 415, 416, 444 and 445.

415. The Committee notes the preparation of the Child Care and Protection Act and thereby the efforts by the State party to bring the legal minimum ages into line with the Convention. On this aspect, it expresses its concern:

- (a) That the current minimum low working age (12 years) is not always adhered to in practice and that it is inconsistent with the age of completion of compulsory education (14 years);

...

416. The Committee recommends that the State party:

- (a) Raise the minimum age of admission to employment, in accordance with international standards and undertake awareness-raising campaigns in this regard;

...

444. The Committee notes the preliminary assessment of the worst forms of child labour in Jamaica (ILO/IPEC, November 2001) and the State party's expressed intention to ratify the ILO Minimum Age Convention (No. 138) and the Worst Forms of Child Labour Convention (No. 182). However, the Committee remains concerned about the actual child labour situation and notes the scarcity of data with regard to child labour.

445. The Committee recommends that the State party:

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- (a) Take further measures to assess the scope and nature of economic exploitation of children in all sectors and take the necessary measures to reduce and eliminate child labour, in close cooperation with ILO, including by introducing a separate legal provision prohibiting the employment of children under the age of 18 in hazardous work, i.e. work that is likely to be harmful to the child's full and holistic development;
 - (b) Take action to implement all policies and legislation relevant to child labour, *inter alia* through campaigns and education for the public on protection of the rights of children;
 - (c) Ratify and implement ILO Conventions Nos. 138 and 182.

- Morocco, CRC, CRC/C/132 (2003) 100 at paras. 516 and 517.
 - 516. The Committee welcomes the hosting by the State party of the Arab-African Forum Against the Sexual Exploitation of Children in preparation for the Yokohama Conference and notes that the Penal Code is under review regarding this issue, but remains concerned at the high incidence of sexual exploitation in the State party. The Committee is also concerned at the fact that the legislation of the State party does not protect all children below 18 years from sexual exploitation, as various ages have been set in several acts regarding sexual exploitation. The Committee is further concerned at the status of child victims of sexual exploitation who may be treated as offenders.
 - 517. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party:
 - (a) Extend the protection from sexual exploitation in all relevant legislation to all boys and girls below the age of 18 years;
 - (b) Ensure that child victims of sexual exploitation are never considered as offenders but rather benefit from programmes for their rehabilitation and recovery;
 - ...

- Kazakhstan, CRC, CRC/C/132 (2003) 129 at paras. 653 and 654.
 - 653. The Committee is concerned at:
 - (a) The growing involvement of children in the sex industry and the apparent indifference of society towards the issue of child prostitution, including reports of parents themselves reportedly forcing their children to earn money through prostitution;

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(b) The lack of specialized centres to accommodate and provide qualified services, including psychotherapeutic and rehabilitation and reintegration programmes, for child victims of sexual violence.

654. The Committee recommends that the State party:

(a) Develop and implement a comprehensive programme to combat trafficking, child prostitution and other forms of sexual exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations of CEDAW in this respect (A/56/38, para. 97);

(b) Adopt measures to reduce the vulnerability of children to traffickers and establish crisis centres and telephone hotlines to give assistance and run rehabilitation and social reintegration programmes for child victims of trafficking and/or sexual exploitation;

...

- Canada, CRC, CRC/C/133 (2003) 14 at paras. 100-103.

100. The Committee greatly appreciates the fact that Canada has committed resources to work towards the ending of economic exploitation of children on the international level. However, the Committee regrets the lack of information in the State party report relating to the situation in Canada. Furthermore, it is concerned that Canada has not ratified International Labour Organization Convention No. 138 concerning the Minimum Age for Admission to Employment and is concerned at the involvement of children under 13 years old in economic activity.

101. The Committee recommends that the State party ratify International Labour Organization Convention No. 138 concerning the Minimum Age for Admission to Employment and take the necessary measures for its effective implementation. The Committee further encourages the State party to conduct nationwide research to fully assess the extent to which children work, in order to take, when necessary, effective measures to prevent the exploitative employment of children in Canada.

102. The Committee is encouraged by the role Canada has played nationally and internationally in promoting awareness of sexual exploitation and working towards its reduction, including by adopting amendments to the Criminal Code in 1997 (Bill C-27) and the introduction in 2002 of Bill C-15A, facilitating the apprehension and prosecution of persons seeking the services of child victims of sexual exploitation and allowing for the prosecution in Canada of all acts of child sexual exploitation committed by Canadians abroad. The Committee notes, however, concerns relating to the vulnerability of street

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children and, in particular, Aboriginal children who, in disproportionate numbers, end up in the sex trade as a means of survival. The Committee is also concerned about the increase of foreign children and women trafficked into Canada.

103. The Committee recommends that the State party further increase the protection and assistance provided to victims of sexual exploitation and trafficking, including prevention measures, social reintegration, access to health care and psychological assistance, in a culturally appropriate and coordinated manner, including by enhancing cooperation with non-governmental organizations and the countries of origin.

- New Zealand, CRC, CRC/C/133 (2003) 27 at paras. 132 and 133.

132. The Committee notes with concern...that there is no minimum age of employment.

133. The Committee recommends that the State party review the age limits set by different legislation affecting children to ensure its conformity with the principles and provisions of the Convention. The Committee also specifically recommends that the State party:

...

(c) Set a minimum age or minimum ages of admission to employment.

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 240-243.

240. In view of the fact that child sexual abuse and sexual exploitation of children are reported to be serious problems in the State party, the Committee is concerned that the State party has not addressed them effectively. The Committee is particularly concerned at:

(a) The absence of legislation clearly prohibiting child sexual abuse and sexual exploitation and the lack of a clear definition of the term in the State party, as well as the lack of legislation that clearly defines sexual consent;

(b) The absence of measures to prosecute the perpetrators;

(c) The absence of statistics and data on the issue of child sexual abuse;

(d) Traditional attitudes regarding the subject (e.g. concepts like “family honour”), which imply that a majority of abuse cases go unreported;

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(e) Reports that child sexual abuse is prevalent, and increasing, in prisons.

241. The Committee recommends that the State party:

(a) Review its legislation in order to clearly define sexual abuse, in particular child sexual abuse and child sexual exploitation;

(b) Undertake a study on the prevalence of sexual abuse and exploitation;

(c) Take all necessary measures to prevent and end this practice through a comprehensive strategy, notably by prosecuting perpetrators, and holding public debates and conducting awareness campaigns;

(d) Ensure that victims of sexual abuse and exploitation have access to appropriate recovery and reintegration programmes and services;

(e) Seek assistance from, among others, WHO and UNICEF.

242. While noting the serious efforts undertaken by the State party to prevent child trafficking, the Committee is deeply concerned at the very high incidence of trafficking in children for the purposes of sexual exploitation, bonded labour and use as camel jockeys.

243. The Committee recommends that the State party:

(a) Ensure that cases of disappeared children are registered and investigated appropriately;

(b) Continue and strengthen its efforts to combat the problem of child trafficking;

(c) Strengthen national and regional strategies and programmes on the prevention and suppression of sexual exploitation and trafficking, and ensure that these strategies take into account the commitments made at the two World Congress against Commercial Sexual Exploitation of Children in 1996 and 2001.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 436, 481, 482 and 501-506.

436. The Committee recognizes with appreciation that the State party has made clear and visible progress, in some fields to a remarkable extent, in the field of child nutrition, health, education and labour...

...

481. The Committee is concerned at the high incidence of abuse, including sexual abuse, within the State party, and at the lack of effective measures to combat this phenomenon. The

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Committee is particularly concerned that existing legislation, notably the Suppression of Violence against Women and Children Act 2000, is rarely implemented and that the prosecution of abuse against women is rare even in very serious cases because of societal attitudes. The Committee is further concerned that the current legislation protects children from abuse only up to the age of 14 years. In addition, the Committee is concerned that child victims of abuse and/or exploitation are placed in “safe custody”, which may result in depriving them of their liberty for as long as 10 years.

482. The Committee recommends that the State party:

- (a) Continue and strengthen its efforts to address the issue of child abuse, including through ensuring there is public awareness of the relevant legislation;
- (b) Assess the scope, nature and causes of child abuse, particularly sexual abuse, with a view to adopting a comprehensive strategy and effective measures and policies and to changing attitudes;
- (c) Provide adequate protection and assistance to child victims of abuse in their homes, whenever possible, and take appropriate measures to prevent the stigmatization of victims;
- (d) Ensure that all children below the age of 18 years are specifically protected under domestic legislation against abuse and exploitation;
- (e) Ensure that the placement of children victims of abuse and exploitation in institutions for reasons of protection and treatment is used only as a measure of last resort and for the shortest possible period of time;
- (f) Take into consideration the recommendations of the Committee adopted at its days of general discussion on the issue of “Violence against children” (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745).

...

501. The Committee notes that, through education, stipend, recovery and social reintegration programmes, progress has been made in reducing the economic exploitation of children, although this has been confined mainly to the formal sector of the economy. However, the Committee remains deeply concerned:

- (a) At the high prevalence of child labour and the fact that the phenomenon is widely accepted in society;
- (b) At the wide variety of minimum ages for admission to employment in different economic sectors, several of which do not adhere to international standards;

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(c) That many child labourers, notably children working as domestic workers, are very vulnerable to abuse, including sexual abuse, completely lack protection and are deprived of the possibility to maintain contact with their families.

502. The Committee recommends that the State party:

(a) Continue and strengthen its efforts to eradicate child labour, including in the informal sector, in particular by addressing its root causes through poverty reduction programmes and strengthening of the children's component in the new Poverty Reduction Strategy Paper, and facilitation of access to education;

(b) Ratify and implement ILO Convention No. 138 concerning the Minimum Age for Admission to Employment;

(c) Increase the number of labour inspectors and develop a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations and ILO/IPEC;

(d) Undertake a study of child labour in the agricultural and informal sectors with a view to developing policies and programmes to eradicate this phenomenon.

503. While welcoming the National Plan of Action against sexual abuse and exploitation, the Committee is deeply concerned at the prevalence of sexual exploitation of children and the social stigmatization of the victims of such exploitation, as well as at the lack of social and psychological recovery programmes and the very limited possibilities for victims to be reintegrated into society. The Committee is also concerned about the widespread practice of forcing children into prostitution.

504. The Committee recommends that the State party:

(a) Fully and effectively implement the National Plan of Action against sexual abuse and exploitation, in order to ensure appropriate policies, laws and programmes for the prevention, protection, recovery and reintegration of child victims, in line with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Ensure that victims of sexual exploitation are never considered as offenders, but rather benefit from programmes for their recovery and reintegration;

(c) Investigate, prosecute and sentence perpetrators of sexual offences against children;

(d) Develop and monitor a code of conduct for law enforcement officials;

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(e) Seek assistance from, among others, UNICEF.

505. The Committee is deeply concerned at the high incidence of trafficking in children for purposes of prostitution, domestic service and to serve as camel jockeys and at the lack of long-term, concentrated efforts on the part of the State party to combat this phenomenon.

506. The Committee recommends that the State party:

(a) Undertake all necessary efforts to prevent and combat domestic and cross-border child trafficking, including through international cooperation;

(b) Take all necessary measures for the recovery and reintegration of children victims of trafficking;

(c) Investigate, prosecute and sentence perpetrators of trafficking, including through international cooperation;

(d) Seek assistance from, among others, UNICEF and the International Organization for Migration.

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 40, 41, 91, 101-106, 108 and 109.

40. The Committee welcomes the establishment of the Indonesian Commission for Child Protection (Komisi Perlindungan Anak Indonesia) and of the National Commission on the Elimination of the Worst Forms of Child Labour. The Committee is nonetheless concerned that the insufficient guarantees of independence and impartiality of the National Commission on Human Rights (Komnas HAM), which hinder it from carrying out its mandate fully, might also impair the work of the National Commission for Child Protection.

41. The Committee recommends that the State party, in accordance with the Committee's general comment No. 2 on national human rights institutions:

(a) Ensure coordination between the National Commission on Human Rights, the National Commission for Child Protection and the National Commission on the Elimination of the Worst Forms of Child Labour;

(b) Ensure that the National Commission for Child Protection and the National Commission on the Elimination of the Worst Forms of Child Labour are accessible to children, in particular by giving them power to conduct investigations and to receive and address complaints by children, in particular children affected by conflict;

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(c) Ensure that the National Commission for Child Protection and the National Commission on the Elimination of the Worst Forms of Child Labour are provided with sufficient resources;

(d) Take immediate measures to strengthen the independence, objectivity, effectiveness and public accountability of the National Commission on Human Rights (Komnas HAM), the National Commission for Child Protection and the National Commission on the Elimination of the Worst Forms of Child Labour, and ensure that their reports to the Attorney-General are published in a timely fashion.

...

91. The Committee urges the State party:

...

(f) To ensure that all persons, including senior officials, who have sponsored, planned, incited, financed or participated in military or paramilitary operations using child soldiers or children as sexual slaves, or violating any rights of the children, will be prosecuted, including those who committed abuses in East Timor in 1999.

...

101. The Committee welcomes the launching of the National Plan of Action for the Elimination of Commercial Sexual Exploitation of Children in 2002. However, the Committee is concerned that existing legislation does not provide effective protection (e.g. the age limit for sexual consent of 12 years is too low) and that child victims of sexual exploitation often do not receive adequate protection and/or recovery assistance. The Committee is also concerned about the lack of information about how the National Plan of Action will be carried out at the provincial and district levels.

102. The Committee wishes to reiterate its opinion that child victims of sexual abuse and exploitation can never be held responsible or guilty of such acts.

103. The Committee recommends that the State party:

(a) Develop and implement legislation that adequately protects child victims of sexual exploitation, including trafficking, pornography and prostitution, that includes a significant increase in the minimum age of sexual consent;

(b) Train law enforcement officials, social workers and prosecutors on how to receive, monitor and investigate complaints and prosecute perpetrators in a child-sensitive manner that respects the privacy of the victim;

(c) Prioritize recovery assistance and ensure that education and training as well as psychosocial assistance and counselling are provided to victims, and ensure that victims who cannot return to their families are provided with adequate alternative solutions and are institutionalized only as a last resort;

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(d) Ensure that the National Plan of Action for the Elimination of Commercial Sexual Exploitation of Children is allocated appropriate resources for its implementation and is effectively carried out at the provincial and district levels.

104. The Committee welcomes the establishment of the National Plan of Action on the Elimination of the Worst Forms of Child Labour as well as the State party's ratification of ILO Conventions No. 138 and No. 182 in 1999 and 2000, respectively. Nevertheless, it remains concerned at the high number of children, many of them under 15, still working in the informal sector, on fishing platforms, in factories, as domestic servants, on plantations, in the shoe, food and toy industries, in the mining and quarrying sector, and on the streets.

105. The Committee recommends that the State party:

(a) Ensure that the National Commission on the Elimination of the Worst Forms of Child Labour reach and protect children employed in the informal sector, in particular domestic workers, prostituted children and children engaged in other types of exploitative labour;

(b) Ensure that the National Plan of Action against the Elimination of the Worst Forms of Child Labour is allocated sufficient resources and that its implementation is appropriately monitored.

106. The Committee recommends that the State party continue its efforts to eliminate child labour, in particular by addressing the root causes of child economic exploitation through poverty eradication and access to education, as well as by developing a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations, law enforcement personnel, labour inspectors and ILO/IPEC.

...
108. The Committee is...concerned at the lack of awareness in the State party on ...[commercial sexual exploitation], phenomenon, at the insufficient legal protection for victims of trafficking, and that few measures have been taken to prevent and protect children from sale, trafficking and abduction.

109. The Committee recommends that the State party:

...
(b) Establish an appropriate definition of trafficking, increase legal protection for child victims, take effective measures to strengthen law enforcement, and intensify efforts to raise awareness in communities about the sale, trafficking and abduction of children;

(c) Seek to establish bilateral and multilateral agreements with neighbouring countries to prevent the sale, trafficking and abduction of children, and facilitate their protection and safe return to their families;

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(d) Seek cooperation with and assistance from, *inter alia*, UNICEF and IOM.

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 237, 238 and 241-244.

237. The Committee notes with appreciation the information provided by the State party's delegation that Armenia plans to ratify International Labour Organization (ILO) Conventions No. 138, concerning the Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour following the adoption in 2004 of a new Labour Code. The Committee reiterates its concern that child labour is a problem in the State party, with an increasing number of children dropping out of school and taking up work in the informal sector, especially in agriculture. The Committee is concerned that there is little awareness in Armenia of the negative consequences of child labour and that there are inadequate measures to address this issue.

238. The Committee recommends that the State party ensure the effective implementation of the minimum age for admission to employment, set at 16 in the Labour Code, and of other provisions prohibiting heavy and hazardous work for children under 18. Employers should be required to have and produce on request proof of age of all children working on their premises. A national mechanism to monitor the implementation of standards at State and local levels should be established and empowered to receive and address complaints of violations. The Committee recommends that the State party undertake a national survey on the nature and extent of child labour. The Committee also recommends that the State party carry out campaigns to inform and sensitize the general public, especially parents and children, to work hazards; and to involve and train employers', workers' and civic organizations, government officials, such as labour inspectors and law enforcement officials, and other relevant professionals. The State party should seek cooperation with relevant United Nations agencies, such as ILO and UNICEF, and NGOs in this regard. The Committee also encourages the State party to ratify ILO Conventions Nos. 138 and 182 as soon as possible.

...

241. While welcoming that penalties have been introduced under the Criminal Code for enticing girls into prostitution and keeping brothels, the Committee reiterates its concern at the insufficient data on and awareness of the phenomenon of sexual exploitation of children in Armenia, and at the absence of a comprehensive and integrated approach to preventing and combating this phenomenon. Furthermore, the Committee is deeply concerned that persons under 18 years of age engaged in prostitution are prosecuted under the Criminal Code, rather than assisted as victims.

242. The Committee reiterates its recommendation that the State party undertake a national study on the nature and extent of sexual exploitation of children, and that disaggregated data

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be compiled and kept up to date to serve as a basis for designing measures and evaluating progress. The Committee urges the State party to review its legislation with a view to ensuring that children engaged in prostitution are not criminalized, but rather seen as victims of their circumstances. In this regard, the State party should ensure that proper social support structures are available to victims of sexual exploitation in the area of reintegration and recovery. The Committee recommends that the State party carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation. Bilateral and regional cooperation should be reinforced, involving cooperation with neighbouring countries.

243. The Committee welcomes the recent efforts made by the State party to combat the phenomenon of trafficking and sale of children in the State party, including the establishment of an inter-agency commission to deal with trafficking in women and children and the amendment of the Criminal Code in April 2003 whereby trafficking and sexual exploitation are made specific criminal offences. However, the Committee notes that a comprehensive policy to combat trafficking in women, girls and boys is still lacking. Furthermore the Committee is concerned that refugee children and children living in orphanages may be particularly at risk.

244. The Committee recommends that the State party:

(a) Adopt and ensure the effective implementation of the National Programme to Combat Trafficking, which is currently under consideration, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations by the Committee on the Elimination of Discrimination against Women in this respect (A/56/38, para. 97);

(b) Adopt measures to reduce vulnerability of children, especially refugee children and children living in orphanages, to traffickers, and establish crisis centres, telephone helplines and social reintegration programmes for victims of trafficking and/or sexual exploitation;

(c) Conduct further research related to the occurrence of child trafficking and strengthen regional cooperation with countries to which Armenian children are trafficked, and consider seeking technical cooperation from, among others, UNICEF, ILO and the International Organization for Migration in this respect.

- Germany, CRC, CRC/C/137 (2004) 51 at paras. 307 and 308.

307. The Committee welcomes the adoption of the Plan of Action of the Federal Government for the Protection of Children and Young People from Sexual Violence and

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Exploitation (January 2003), but remains concerned at the various ages retained in the Criminal Code depending on the offence committed by an adult against a child.

308. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party:

(a) Extend the protection against sexual exploitation and trafficking provided for in all relevant legislation to all boys and girls below the age of 18 years;

(b) Pursue its efforts to combat sexual exploitation of and trafficking in children by effectively implementing its Plan of Action, in accordance with the 1996 Declaration and Agenda for Action and the 2001 Global Commitment adopted at the World Congresses against Commercial Sexual Exploitation of Children.

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 371 and 372.

371. The Committee welcomes the State party's efforts in the Netherlands to address the sexual exploitation of children, in particular, through training of the police. However, it is concerned that the "complaint requirement" by victims over the age of 12 and the "double criminality" requirement hamper the prosecution of cases of child sexual abuse committed in the Netherlands and abroad. In Aruba, the Committee is concerned that children are vulnerable to trafficking for the purposes of drug trafficking or sexual exploitation, including through tourism.

372. The Committee recommends that the State party:

...

(b) In the Netherlands, amend legislation to eliminate the complaint requirement and double criminality requirement for the prosecution of sexual offences against children;

(c) Strengthen the capacity of the police in the Netherlands and Aruba to receive and investigate complaints of trafficking and sexual exploitation in a child-sensitive manner, *inter alia*, by increasing human and financial resources and, where necessary, providing appropriate training;

(d) Ensure that all victims of trafficking and prostitution in the State party have access to appropriate recovery and reintegration programmes and services;

(e) Undertake an in-depth study of trafficking and sexual exploitation of children in Aruba, including the possible existence of sex tourism.

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- India, CRC, CRC/C/137 (2004) 75 at paras. 450-453.

450. The Committee notes the tenth Plan for the National Child Labour Project but is extremely concerned at the large numbers of children involved in economic exploitation, many of whom are working in hazardous conditions, including as bonded labourers, especially in the informal sector, in household enterprises, as domestic servants and in agriculture. The Committee is further very concerned that minimum age standards for employment are rarely enforced and appropriate penalties and sanctions are not imposed to ensure that employers comply with the law.

451. The Committee recommends that the State party:

(a) Ensure the full implementation of the Child Labour (Prohibition and Regulation) Act, 1986, the Bonded Labour (System Abolition) Act, 1976 and the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993;

(b) Amend the Child Labour Act, 1986 so that household enterprises and government schools and training centres are no longer exempt from prohibitions on employing children;

(c) Promote community-based programmes for the prevention of child labour;

(d) Ratify ILO Conventions No. 138 concerning the Minimum Age for Admission to Employment, and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(e) Strengthen its efforts to raise awareness of the public at large, especially parents and children, of work hazards and to involve and train employers, workers and civic organizations, government officials, such as labour inspectors and law enforcement officials, and other relevant professionals; and

(f) Continue its collaboration with ILO/IPEC.

452. The Committee welcomes the ratification of the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; the adoption of a plan of action to combat trafficking and commercial sexual exploitation of women and children; the initiative to undertake a study, *inter alia*, to collect data on the number of children and women who become victims of sexual exploitation and trafficking; and the Pilot Projects to Combat Trafficking of Children for Commercial Sexual Exploitation in Destination and Source Areas, but remains concerned that the Immoral Traffic Prevention Act, 1986 does not define trafficking and limits its scope to sexual exploitation. In addition, the Committee expresses its concern at the increasing

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number of child victims of sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

453. In light of articles 34 and 35 and other related articles of the Convention, the Committee recommends that the State party:

(a) Extend the scope of the Immoral Traffic Prevention Act to all forms of trafficking of children and ensure that all trafficked children are always treated as victims;

...

(d) Adopt multidisciplinary and multisectoral approaches and take measures to prevent and combat sexual exploitation and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(e) Ensure that perpetrators are brought to justice;

(f) Strengthen its policies to facilitate the reunification of child victims of trafficking with their families and provide adequate care and reintegration programmes for children who have been sexually exploited and/or trafficked, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and

(h) Collaborate with non-governmental organizations working on these issues and seek technical assistance from, among others, UNICEF.

- Papua New Guinea, CRC, CRC/C/137 (2004) 94 at paras. 522 and 523.

522. The Committee, while noting with appreciation the recent amendments to relevant legislation and the formulation of a draft National Plan of Action to combat the commercial sexual exploitation of children and sexual exploitation in its wider context, remains concerned at the seemingly high incidence of child prostitution in the State party and the lack of accurate data and adequate policies in this regard.

523. The Committee recommends that the State party expedite the adoption of its National Plan of Action, take all necessary measures to implement existing legislation and develop an effective and comprehensive policy addressing the sexual exploitation of children with special attention to the protection of girls and women. The Committee also recommends that

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the State party implement appropriate policies and programmes for the prevention of such practices and for rehabilitation and reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Panama, CRC, CRC/C/140 (2004) 23 at paras. 149-152.

149. The Committee welcomes the efforts made by the State party to reduce child labour and the ratification of ILO Conventions No. 138 and No. 182. The Committee remains concerned about the high number of children involved in labour, mainly as domestic and rural workers (in sugar cane plantations), and that the State party has not adequately enforced child labour provisions.

150. The Committee recommends that the State party:

- (a) Ensures the full implementation of the child labour provisions and take all necessary measures to prevent child labour, in rural as well as urban areas (child domestic workers);
- (b) Develop preventive measures that target those soliciting and providing sexual services, including materials on the legislation concerning the sexual abuse and exploitation of minors, and education programmes, including programmes in schools on healthy lifestyles;
- (c) Increase the number of trained labour inspectors and trained professionals providing psychological counselling and other recovery services to victims;
- (d) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner.

151. The Committee welcomes the ratification of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography. It remains concerned that sexual exploitation and abuse continue to be serious problems and that the victims of sexual exploitation do not have access to appropriate recovery and assistance services. The Committee also remains concerned about the lack of data to determine the real dimension of the problem of child abuse and sexual exploitation and about the insufficient measures to prevent and combat trafficking of children.

152. The Committee recommends the adoption and effective implementation of adequate legislation to prevent and combat trafficking, sexual exploitation and pornography involving children. It also recommends the provision of sufficient financial resources for the implementation of the activities promoted by the new National Committee against Commercial Sexual Exploitation. The Committee further recommends that the State party:

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(a) Undertake awareness-raising campaigns, particularly for children, parents and other caregivers;

(b) Ensure that trafficked children and children who have been subjected to sexual exploitation are always treated as victims and that perpetrators are prosecuted;

(c) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Rwanda, CRC, CRC/C/140 (2004) 36 at paras. 221-226.

221. The Committee welcomes the ratification of the Optional Protocol to the Convention on the involvement of children in armed conflict. The Committee further welcomes that Law No. 27/2001 on the Rights of the Child and Protection of Children against Abuse prohibits military service for children under 18 (art. 19), but remains deeply concerned that this law does not apply for the Local Defence Forces. The Committee is further concerned at numerous reports of recruitment of children below the age of 15 years by armed groups operating in the State party or in the Democratic Republic of the Congo. The Committee is also concerned that not all former child soldiers, notably girls, are provided with the means of psychological recovery and social rehabilitation.

222. The Committee recommends that the State party:

(a) Take all necessary measures to ensure that children below the age of 18 years are not recruited in the Local Defence Forces or in any armed group on the territory of the State party;

(b) Make additional efforts to demobilize child soldiers and reintegrate them into their communities and provide for their full psychological recovery and social rehabilitation, paying special attention to girls; and

(c) Seek technical assistance from, among others, UNICEF.

223. The Committee welcomes the adoption of the new Labour Code, Law No. 51/2001 of 31 December 2001, but is nevertheless deeply concerned that child labour in the State party is widespread, particularly in the informal sector where children work as domestic workers, and that children may be working long hours at young ages, which has a negative effect on their development and school attendance.

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224. In the light of article 32 and other related articles of the Convention, the Committee recommends that the State party:

- (a) Undertake a comprehensive study to assess the situation of child labour;
- (b) Amend the existing legislation to harmonize it with the various international instruments that have been ratified by the State party, including ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;
- (c) Provide adequate human and other resources and training to the labour inspectorate and other law enforcement agencies in order to further strengthen their capacity to effectively monitor the full implementation of child labour legislation; and
- (d) Seek assistance from ILO/IPEC and UNICEF.

225. The Committee welcomes the ratification of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, but remains concerned about the increasing number of child victims of sexual exploitation, including for prostitution and pornography, especially among girls, child orphans and abandoned and other disadvantaged children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social rehabilitation of child victims of such abuse and exploitation.

226. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party:

- (a) Extend the protection from sexual exploitation and trafficking contained in all relevant legislation to all boys and girls below the age of 18 years;
- (b) Ensure that child victims of sexual exploitation are not considered as offenders;
- (c) Implement appropriate gender- and child-sensitive policies and programmes to prevent it and to rehabilitate child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Sao Tome and Principe, CRC, CRC/C/140 (2004) 54 at paras. 292, 293, 295 and 296.

292. The Committee shares the concern of the State party about the gradual increase of cases of prostitution and other forms of sexual abuse which involve children. It is also deeply concerned that child prostitutes are considered by the law as criminals rather than as

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victims.

293. The Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the scope and nature of sexual exploitation of children;

(b) Take all necessary measures to effectively protect all children from sexual exploitation;

(c) Develop adequate systems of investigation of cases of sexual exploitation and of recovery for the victims;

(d) Undertake awareness-raising campaigns, particularly for children, parents and other caregivers.

...

295. ...[T]he Committee is concerned that despite a general prohibition of work for children under 14 years, Act No. 6/92 allows a minor to conclude a work contract and to receive remuneration for work. The Committee is further concerned at the high number of children who are working.

296. The Committee recommends that the State party:

...

(c) Take all necessary measures to enforce the law prohibiting children from work before the age of 14 years, including by developing programmes to encourage children to go to school or to have access to informal education;

(d) Seek assistance in this respect from, among others, ILO/IPEC and UNICEF.

- Myanmar, CRC, CRC/C/140 (2004) 81 at paras. 442 and 443.

442. The Committee notes that the 1993 Child Law prohibits child labour, but is deeply concerned that economic exploitation is extremely widespread in Myanmar and that children may be working long hours at young ages, with very negative impacts on their development and school attendance. While noting the adoption of a joint Plan of Action for the Elimination of Forced Labour with ILO, the appointment in 2002 of an ILO Liaison Officer and the recent appointment of the ILO Facilitator, the Committee is extremely concerned at practices of forced labour among children, notably those organized by the armed forces.

443. In line with its previous recommendations ([CRC/C/15/Add.69], paras. 42 and 43), the Committee strongly recommends that the State party:

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(a) Adopt and implement a comprehensive national plan of action to prevent and combat child labour;

(b) Amend, where necessary, and strengthen the implementation of the labour laws, notably through prosecution of those who make use of forced labour, and increase the number and quality of labour inspectors;

(c) Consider ratifying and implementing the ILO Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention 1999 (No. 182);

(d) Continue to seek assistance from ILO through the joint Plan of Action for the Elimination of Forced Labour, the ILO Liaison Officer and the ILO Facilitator, whose work should begin without delay, ensuring that clear and effective communication is reinstated with ILO.

- Democratic People’s Republic of Korea, CRC, CRC/C/140 (2004) 111 at paras. 571 and 572.

571. While noting that the minimum age for employment and labour is set at 16, the Committee notes that the State party has not ratified ILO Conventions No. 138 concerning Minimum Age for Admission to Employment, and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, whose ratification would further improve the protection of persons below 18 from economic exploitation. The Committee also notes that the Democratic People’s Republic of Korea is not yet a member of the International Labour Organization.

572. The Committee recommends the State party to consider membership in ILO in order to be in a position to hereafter consider ratifying relevant ILO international conventions to protect persons below 18 from economic exploitation, and that it strictly apply the minimum age for access to employment (16).

- France, CRC, CRC/C/140 (2004) 124 at paras. 631-634.

631. The Committee welcomes the legislative and other efforts aimed at providing protection of children from economic exploitation. However, the Committee is concerned that illegal networks of forced labour continue to operate and that foreign children fall victims of networks which are not countered vigorously enough.

632. The Committee recommends that the State party, in accordance with article 32 of the Convention and ILO Conventions No. 138 on the minimum age for admission to employment and No. 182 on the worst forms of child labour, which the State party has

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ratified, vigorously pursue measures at the national and international level to dismantle trafficking and exploitation networks, in particular of foreign children, which continue to operate, as well as to strengthen its cooperation and support to non-governmental organizations working in this area.

633. The Committee notes that, following the World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996, a National Plan of Action was adopted to protect children from abuse and ill-treatment. The following year, in 1997, protection of abused children was declared a national priority. However, the Committee is concerned at the occurrence of trafficking of children, prostitution and related issues, as noted in the Report of the Special Rapporteur on the sale of children, child prostitution and child pornography following his mission to France in November 2002.

634. The Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;

(b) Undertake measures to reduce and prevent the occurrence of sexual exploitation and trafficking, including by sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns, and establishing cooperation;

(c) Establish or strengthen existing cooperation with the authorities of countries from which children are trafficked;

(d) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner including by enhancing cooperation with non-governmental organizations, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(e) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the age group 15-18;

(f) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner.

- Brazil, CRC, CRC/C/143 (2004) 10 at paras. 87 and 88.

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87. The Committee welcomes the decision of the State party's President, to make the fight against child sexual exploitation a priority of his Government. However, the Committee is deeply concerned by the wide occurrence of sexual exploitation and related issues, as also noted in the report of the Special Rapporteur on the sale of children, child prostitution, and child pornography following his mission to Brazil in 2003 (E/CN.4/2004/9/Add.2).

88. The Committee recommends that the State party:

(a) Encourage and facilitate the reporting on incidents of sexual exploitation, investigate, prosecute and impose appropriate sanctions on any perpetrator of the alleged violations;

(b) Provide protection to victims of sexual exploitation and trafficking, especially prevention, social reintegration, access to health care and psychological assistance in a culturally appropriate and coordinated manner, including by enhancing cooperation with non-governmental organizations and with neighbouring countries; and

(c) Follow-up on the recommendation made by the Special Rapporteur that specialized criminal courts for child victims of crimes, together with specialized units of the public prosecutor's and specialized police precincts for the protection of children and adolescents should be established.

- Kyrgyzstan, CRC, CRC/C/143 (2004) 50 at paras. 300 and 301.

300. The Committee welcomes the recent creation of the Coordination Council on Child Labour (in 2004), but remains concerned about the prevalence of child labour in Kyrgyzstan and the lack of official data in this regard. The use of children as workers by State institutions, and in particular by State educational establishments, is a matter of concern to the Committee.

301. The Committee recommends that the State party:

(a) Take steps to improve the labour conditions of children who are allowed to work and enforce the provisions of the Minors' Rights (Protection and Defence) Act with regard to child labour; and

(b) Take immediate and effective steps to eliminate the practice in State institutions, in particular in educational institutions, of requiring children to work for the profit of these institutions.

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- Equatorial Guinea, CRC, CRC/C/143 (2004) 64 at paras. 367 and 368.

367. The Committee welcomes the State party's ratification of ILO Conventions No. 138 and No. 182 in 2001 and takes note of the adoption in 2004 of the new law against smuggling of migrants and trafficking in persons. Nevertheless, it remains concerned at the significant number of children, especially girls, working on the street and as domestic servants and about the lack of effective implementation of the labour laws and mechanisms to control child labour.

368. The Committee recommends that the State party:

- (a) Undertake a survey of the number of children working, including as domestic servants and in the agricultural sector, in order to design and implement comprehensive strategies and policies to prevent and combat economic exploitation in these sectors;
- (b) Ensure the implementation of legislation fully covering article 32 of the Convention and ILO Conventions No. 138 and No. 182, taking due account of the Minimum Age Recommendation, 1973 (No. 146), the Worst Forms of Child Labour Recommendation, 1999 (No. 190) and the comments made by the ILO Committee of Experts on the Application of Conventions and Recommendations;
- (c) Undertake awareness-raising campaigns to prevent and combat the economic exploitation of children;
- (d) Strengthen cooperation with countries from which cross-border child labour originates in order to combat the economic exploitation of those children;
- (e) Seek assistance from the International Programme on the Elimination of Child Labour (ILO/IPEC) and UNICEF, among others.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 441-444.

441. While welcoming the State party's ratification of ILO Conventions Nos. 138 and 182 in 2001, the Committee is concerned that many children below the legal age for employment work in the State party, mostly in family farms and in the informal sector, and that the work of these children is not monitored, although it is known that children are vulnerable to exploitation in employment.

442. The Committee recommends that the State party:

- (a) Strengthen its efforts to prevent children under the legal age for employment from

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working;

(b) Seek innovative strategies whereby children who have completed their primary education who choose to work can combine working with continued education;

(c) Establish an inspection system in order to ensure that work performed by children is light work and not exploitative;

(d) Develop targeted programmes to protect the rights of children separated from their parents and working in the streets;

(e) Seek technical assistance from ILO/IPEC.

443. The Committee is concerned about the extent of the problem of sexual exploitation of and trafficking in children in the State party and notes that internally displaced and street children are particularly vulnerable to such abuse.

444. The Committee recommends that the State party further strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by finalizing the national plan of action in this area and providing the appropriate legal framework and sufficient human and financial resources for its implementation. The Committee also encourages the State party to define "trafficking" as a special criminal offence under the Penal Code.

- Antigua and Barbuda, CRC, CRC/C/143 (2004) 93 at paras. 512, 513, 516 and 517.

512. The Committee notes with appreciation the State party's ratification in September 2002 of the Worst Forms of Child Labour Convention, 1999 (No. 182). The Committee expresses concern, however, about the atmosphere of complacency, which may reduce efforts to prevent and eliminate child labour.

513. The Committee recommends that the State party make every effort, including taking preventive measures, to ensure that those children who engage in lawful domestic work do not work under conditions that are harmful to them and continue to have access to education, and that unlawful work is prevented and eliminated. The Committee further recommends that the State party take action to implement all policies and legislation relevant to child labour, *inter alia* through campaigns and education for the public on the protection of the rights of children.

...

516. The Committee is concerned that the Sexual Offences Act of 1995 does not afford the same protection to boys as it does to girls. The Committee is also concerned at the low rate

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of prosecutions of those who sexually exploit children and that there is little in the way of public campaigns to educate the population about the laws governing sexual exploitation. The Committee notes that sexual exploitation of children should be a particular and growing concern for the State party, given its heavy reliance on commercial tourism.

517. The Committee recommends that the State party:

- (a) Take appropriate legislative measures and ensure protection from sexual abuse and exploitation for boys and girls under 18 years;
- (b) Undertake a comprehensive study to examine the sexual exploitation of children, gathering accurate data on its prevalence;
- (c) Take appropriate legislative measures and develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation;
- (d) Avoid criminalizing child victims of sexual exploitation and ensure proper prosecution of perpetrators; and
- (e) Implement appropriate policies and programmes for the prevention of this crime and the recovery and reintegration of its victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Sweden, CRC, CRC/C/146 (2005) 8 at paras. 67 and 68.

67. The Committee notes with appreciation that, following the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, a National Plan of Action was adopted to protect children against sexual abuse and ill-treatment, which was brought up to date in 2001 for the Second World Congress, held in Yokohama, Japan. It also welcomes the proposed revisions to the Criminal Code regarding sexual offences, which, if adopted, will improve the protection of children against sexual exploitation. However, the Committee is concerned at:

- (a) The occurrence of trafficking in children, prostitution and related issues in Sweden and abroad committed by Swedish citizens;
- (b) Reports of cases of sexually abused children as a result of contacts via the Internet;
- (c) The little protection provided by Swedish legislation, due in part to the subjective and

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incomplete definition of the child under the Penal Code concerning child pornography.

68. The Committee recommends that the State party:

(a) Strengthen the protection measures for children who are using the Internet and the awareness-raising programmes for children about the negative aspects of the Internet, including by working with service providers, parents and teachers;

(b) Strengthen measures to reduce and prevent the occurrence of sexual exploitation and trafficking, including by sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns;

(c) Strengthen the legislation against possession and production of child pornography, including by prohibiting the display of child pornography on the Internet by service providers, and by revising the definition of the child in the Penal Code concerning child pornography, setting a clear objective age limit at 18 years;

(d) Strengthen the legislation allowing the prosecution of Swedish citizens involved in sexual exploitation of children abroad, including by prohibiting the reissuance of passports for persons freed after posting bail;

(e) Increase the protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner, including by enhancing cooperation with NGOs, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children, held in 1996 and 2001 respectively

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 96, 97 and 143-146.

96. The Committee welcomes the information that the age of marriage is now 18 years for all children and that discrimination contained in previous legislation has been removed. However, the Committee notes the lack of clarity related to the status of children between 14 and 18 years (e.g. in the areas of sexual abuse or exploitation, juvenile justice) and is concerned that children in this age group may not be accorded the special protection or the rights they are entitled to in accordance with the Convention.

97. The Committee recommends that the State party take all necessary measures to clarify the definition of the child in Albania and that existing legislation be reviewed to ensure that all children under 18 years of age receive the protection they need as provided for in the Convention.

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...

143. The Committee welcomes the ratification by the State party of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour with a view to extending special protection to children. It further welcomes the establishment of a special Unit for Child Labour within the Ministry of Labour and Social Affairs in cooperation with ILO-IPEC. However, it also notes that it is widely acknowledged that children in Albania work in the streets, within the family, or elsewhere in exploitative situations or to such an extent that regular school attendance is impeded. Furthermore, the Committee regrets the deficiency of data in this respect.

144. The Committee recommends that the State party, in accordance with article 32 of the Convention, and ILO Conventions No. 138 concerning the Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which the State party has ratified:

(a) Take steps to ensure the implementation of article 32 of the Convention, and ILO Conventions Nos. 138 and 182, taking due account of ILO Recommendation concerning Minimum Age for Admission to Employment, 1973 (R146) and Recommendation concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (R190);

(b) Vigorously pursue measures, at the national and international level, to dismantle trafficking and exploitation networks;

(c) Strengthen efforts to establish control mechanisms to monitor the extent of child labour, including unregulated work, address its causes with a view to enhancing prevention and, where children are legally employed, ensure that their work is not exploitative and is in accordance with international standards;

(d) Continue ongoing cooperation with ILO-IPEC in this regard.

145. The Committee notes the concerns expressed by the State party at the extent of the problem of sexual exploitation of children in Albania. It also welcomes the measures taken by the State party to combat trafficking in children, such as the establishment of an anti-trafficking centre in Vlora. However, the Committee notes with concern that the sale of children is not criminalized in domestic legislation, that children reportedly continue to be trafficked, in particular to Italy and Greece, and considers that additional efforts must be vigorously pursued to combat this persistent phenomenon.

146. The Committee recommends that the State party:

(a) Considerably strengthen its efforts to reduce and prevent the occurrence of sexual

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exploitation, sale of children and trafficking, including by amending legislation and sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns;

(b) Strengthen existing cooperation with the authorities of countries from or to which children are trafficked in order to combat the phenomenon and harmonize legislation in this respect;

(c) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner, including by enhancing cooperation with NGOs. In this respect, account should be taken of the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children, held in 1996 and 2001 respectively;

(d) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the 14-18 years age group;

(e) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints, in a child-sensitive manner;

(f) Proceed with the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as planned.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 159, 213 and 214.

159. The Committee notes with appreciation:

...

(d) The following legislative measures:

...

(iii) Protection of Young Workers Act of 23 March 2001, transposing into national legislation European Directive 94/33 on the protection of young people at work;

...

(v) Act of 31 May 1999 introducing, *inter alia*, a new article 384 of the Criminal Code expressly punishing child pornography and providing for the confiscation of all related items;

...

213. While welcoming the many legislative and other measures taken by the State party to combat and raise awareness of the problem of sexual exploitation, trafficking in persons and child pornography, the Committee is concerned that the conditions of work for women and

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girls arriving in Luxembourg to work in the entertainment sector are such that they may be exposed to the risk of prostitution and trafficking in human beings.

214. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party continue and strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by undertaking studies to assess the nature and magnitude of the problem and allocating sufficient resources to addressing it.

- Austria, CRC, CRC/C/146 (2005) 47 at paras. 271 and 272.

271. The Committee notes with appreciation the ratification by the State party of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, but remains concerned that domestic legislation continues to permit children from the age of 12 to be involved in light work.

272. The Committee reiterates its previous recommendation (see CRC/C/15/Add.98, para. 28) that the State party amend its domestic legislation by raising this age to that set in ILO Convention No. 138.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 315, 316 and 357-361.

315. The Committee is deeply concerned about the practice of early marriages and the low minimum age for marriage (14 years), criminal liability (7 years), admission to hazardous work (14 years) and to part-time work (12 years)...

316. The Committee recommends that the State party continue and strengthen its efforts:

...

(b) To raise the minimum age for admission to hazardous work to 18 years;

...

(e) To make all provisions for minimum ages more consistent with the provisions and principles of the Convention.

...

357. The Committee welcomes the ILO-funded pilot project to address child labour problems, but remains concerned at the high rate of working children in Belize and the negative consequences resulting from the exploitation of child labour, such as school dropouts and the negative effects on health caused by harmful and hazardous work. The Committee notes with particular concern the high number of child rural workers and regrets the lack of adequate data on child labour in the country.

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358. In the light of ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the relevant provisions of the Convention on the Rights of the Child, the Committee recommends that the State party ensure the full implementation of the child labour provisions, including the provision of non-formal education and training, in order to ensure the development of children to their full potential; take all necessary measures to prevent child labour, including in rural areas, *inter alia*, by extending the ILO-funded project to those parts of the country, as well as to urban areas; and improve the monitoring of child labour in the country. The Committee encourages the State party to strengthen its cooperation with ILO and its International Programme on the Elimination of Child Labour (IPEC) in this respect.

359. The Committee welcomes the adoption in 2003 of the Trafficking in Persons (Prohibition) Act, which provides special protection for children, and the subsequent establishment of a special Task Force to give greater effect to the implementation of the Act, and notes the State party’s efforts to combat sexual exploitation of children, for instance, through the “Stamp Out Child Abuse” campaign. Notwithstanding these positive steps taken by the State party, the Committee is concerned about the sexual exploitation of children, child pornography and trafficking of children in Belize and draws attention to the existing risk factors, such as the growing tourism.

360. The Committee also notes with concern that the sex offence legislation of the State party is discriminatory, leaving boys without equal legal protection from sexual assault and abuse. Furthermore, the reported cases of the so-called “sugar daddies”, adult men having sexual relations with girls and providing both girls and their families with monetary and material benefits in exchange for sex, give rise to serious concerns.

361. The Committee recommends that the State party continue and strengthen its efforts:

- (a) To conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;
- (b) To take all necessary measures to effectively prevent, and protect all children from, trafficking, sexual exploitation and child pornography, including through implementing the Trafficking in Persons (Prohibition) Act, and to provide the recently established Task Force with adequate financial, human and technical resources;
- (c) To develop adequate systems of prevention and early detection and investigation of cases of sexual exploitation and ensure that perpetrators are prosecuted;
- (d) To provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the

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Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(e) To critically review its sex offence legislation in order to ensure equal legal protection from sexual assault and abuse for girls and boys;

(f) To pay particular attention to the phenomenon of the so-called “sugar daddies” and existing risk factors, such as the growing tourism in the region, and to take all necessary preventive measures, in close cooperation with the tourism industry, in this respect;

(g) To introduce awareness-raising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and to strengthen its cooperation with NGOs in this respect.

- Bahamas, CRC, CRC/C/146 (2005) 77 at paras. 396, 397, 425 and 426.

396. The Committee is concerned that the minimum age for access to employment (14 years) is not in harmony with the age at which compulsory education ends (16 years)...

397. The Committee recommends that the State party:

(a) Raise the minimum age for admission to employment to 16 years in order to harmonize it with the age at which compulsory education ends;

...

425. The Committee appreciates the progress made by the State party in addressing the issue of child labour, including the adoption of the Employment Act in 2001. However, the Committee is concerned at the relatively high prevalence of child labour in the State party and the insufficient protection from hazardous forms of work involving children between 14 and 18 years of age.

426. The Committee recommends that the State party establish a definition of hazardous work, in conformity with the rules set out in ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and explicitly prohibit the employment of children between 14 and 18 years in work that is likely to harm their health, safety and morals. It further recommends that the State party take the necessary measures to improve the effectiveness of the labour inspectorate and other forms of monitoring child labour in order to ensure full compliance with the rules of the Employment Act 2001 regarding working conditions for children from 14 to 18 years of age.

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- Islamic Republic of Iran, CRC, CRC/C/146 (2005) 88 at paras. 497, 498 and 503-506.

497. While welcoming the efforts made by the State party so far in the repatriation of Iraqi and Iranian refugee children and their families, and noting the State party's commitment to include children of Afghan and Iraqi refugees in the recent registrations of Afghans and Iraqis residing in Iran, the Committee is concerned at reports of the deportation of unaccompanied children, mostly Afghans, back to their country of origin, and the lack of access by humanitarian organizations to these children. It is concerned at reports of unaccompanied children arriving in Iran from neighbouring countries, in particular Afghanistan, allegedly for the purpose of exploitation...

498. The Committee recommends that the State party:

- (a) Allow immediate access by humanitarian organizations and United Nations agencies to all unaccompanied children in the State party;
- (b) Discontinue the practice of deporting unaccompanied children under 18 years of age back to Afghanistan and take the necessary steps to reunite all unaccompanied children with their families or take effective measures to integrate these children into society;
- (c) Ensure that Afghan families who are not in a position to return to Afghanistan are not forcibly deported but assisted to integrate into society;
- (d) Ensure that all refugee children are registered and have full access to free education, health and other services;
- (e) Continue its cooperation with UNHCR and other United Nations agencies.

...

503. While welcoming the ratification on 8 June 2002 by the State party of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Committee remains concerned at the large number of children below the age of 15, particularly in rural areas, who are involved in child labour, especially in the informal sector, including carpet weaving and other traditional family businesses. The Committee also notes that although article 79 of the Labour Code sets the minimum age of access to employment at 15, other legislation, including the Agricultural Code, sets that age at 12.

504. The Committee recommends that the State party:

- (a) Review its legislation on the minimum age of access to employment so that the minimum age of 15 applies in all situations of labour;

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- (b) Reconsider the existing list of prohibited forms of worst labour with a view to reducing and eliminating existing exceptions;
- (c) Vigorously pursue enforcement of minimum-age standards, including requiring employers to have, and produce on demand, proof of age of all children working on their premises;
- (d) Provide labour inspectors with all the necessary support, including child labour expertise, with a view to enabling them to monitor effectively at the State and local level the implementation of labour law standards and to receive and address complaints of violations;
- (e) Consider ratifying ILO Convention No. 138 concerning Minimum Age for Admission to Employment and adopting accordingly explicit legislation and measures to protect children from economic exploitation through labour in the informal sector, including family enterprises, agricultural activities and as domestic labour, and that technical inspections be extended to these areas;
- (f) Seek technical assistance from ILO in order to establish an IPEC programme in Iran.

505. The Committee is concerned about reports of trafficking and sale of persons under 18 years of age, particularly young girls from rural areas, facilitated by “temporary marriages” (*siqueh*) - marriages which last from 1 hour to 99 years. It is also concerned at reports of the trafficking of such persons from Afghanistan to Iran, who are apparently sold or sent by their families in Afghanistan for exploitation, including cheap labour.

506. Considering that the sale and trafficking of children is a criminal offence, the Committee recommends that the State party take all appropriate legislative and administrative measures, to prevent and eliminate this phenomenon and to ensure that traffickers are prosecuted, convicted and punished.

- Togo, CRC, CRC/C/146 (2005) 104 at paras. 576-578 and 581-586.

576. The Committee welcomes the ratification by the State party of ILO Conventions No. 138 concerning Minimum Age for Admission to Employment in 1984 and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2000 and the strategies implemented to prevent and combat child labour. Nevertheless, it remains concerned at the large number of children working in the informal sector, in factories, as domestic servants, and on the streets.

577. The Committee recommends that the State party further strengthen the implementation of the Programme on the Elimination of Child Labour launched in 2001 by the Ministry of

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the Civil Service, Labour and Employment and ensure that it establishes mechanisms to reach and to protect children employed in the informal sector.

578. The Committee recommends that the State party continue its efforts to eliminate child labour, in particular by addressing the root causes of child economic exploitation through poverty eradication and access to quality education, as well as by developing a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations, law enforcement personnel, labour inspectors and ILO-IPEC.

...

581. The Committee is concerned at the large number of children living and working on the streets, at the vulnerability of these children to various forms of violence, including sexual abuse and economic exploitation, at the lack of a systematic and comprehensive strategy to address the situation and protect these children, and at the very poor registration and tracing of missing children by the police.

582. The Committee recommends that the State party:

- (a) Develop a comprehensive strategy to address the root causes of the large number of street children, with the aim of reducing and preventing this phenomenon, including by strengthening the capacities of the families;
- (b) Ensure that street children are provided with adequate nutrition and shelter as well as with health care and educational opportunities in order to support their full development;
- (c) Provide street children with adequate protection from abuse and violence, and with assistance when they are victims of such violence;
- (d) Facilitate the recovery and social reintegration, especially through strengthening family relationships, of street children;
- (e) Ensure adequate registration and effective tracing of missing children;
- (f) Provide psychosocial support to street children when they return to their families;
- (g) Seek technical cooperation in this regard from, among others, UNICEF.

583. While noting the efforts made by the State party to prevent and combat sexual exploitation of children, the Committee is concerned that:

- (a) Little data is available on the extent and patterns of sexual exploitation and prostitution of children;

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(b) Existing legislation intended to protect children from sexual exploitation and prostitution is neither sufficient nor effective;

(c) Child victims of sexual exploitation often do not receive adequate protection and/or recovery assistance.

584. The Committee recommends that the State party:

(a) Undertake a national study on the extent and pattern of the phenomenon;

(b) Enact a law providing adequate protection to children victims of sexual exploitation, including trafficking, child pornography and prostitution;

(c) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute cases, in a child-sensitive manner that protects the child victims and respects their privacy;

(d) Prioritize recovery assistance and ensure that education and training as well as psychosocial assistance and counselling are provided to victims, and ensure that victims who cannot return to their families are not institutionalized.

585. The Committee welcomes the adoption of the National Plan of Action on the fight against child trafficking for commercial exploitation and labour in 2001 as well as the establishment of the *Comités de vigilance*. However, the Committee is concerned that the Plan of Action did not sufficiently involve civil society and is not efficiently implemented. It is further concerned that trafficking of children is not a separate offence under the law, despite the prevalence of the phenomenon. The Committee is further concerned at the lack of measures taken to combat and protect children from sale, trafficking and abduction.

586. The Committee recommends that the State party:

(a) Establish trafficking of children as a separate offence;

(b) Upgrade its system of data collection to cover sale, trafficking and abduction of children, and ensure that all data and indicators are used for the formulation, monitoring and evaluation of policies, programmes and projects;

(c) Ensure effective programmes for child protection, prosecution of offenders, repatriation, recovery and preventive programmes for victims;

(d) Take effective measures to strengthen law enforcement, including immigration laws, intensify efforts to raise awareness among communities of the sale, trafficking and abduction

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of children, and prosecute the perpetrators;

(e) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

(f) Continue its efforts to establish bilateral and multilateral agreements with neighbouring countries to prevent the sale, trafficking and abduction of children, to facilitate their protection and safe return to their families and to implement reintegration programmes for the victims.

- Bolivia, CRC, CRC/C/146 (2005) 121 at paras. 652, 653, 656 and 657.

652. While welcoming the measures taken by the State party to combat the worst forms of child labour, including through cooperation with ILO-IPEC, the Committee expresses its deep concern at the widespread occurrence of child labour in the State party and at the absence of rights-based policies to protect the rights of children and adolescents involved in child labour. The Committee is particularly concerned about the large number of child domestic workers, who are vulnerable to abuse, and about children working in mines, on sugar cane plantations and in other hazardous conditions.

653. The Committee urges the State to strengthen measures to combat child labour. It recommends, in this regard, that the State party formulate, in a participatory manner, a strategy and plan of action to eliminate the worst forms of child labour as well as to safeguard the rights of working children. The Committee also recommends that the State party strengthen the labour inspectorate to ensure the effective implementation of child labour laws, including the prohibition against employing children under the age of 18 in harmful or hazardous work. The State party is encouraged to give priority to children working in the sugar cane and mining industries and to child domestic workers, with special attention to the rights of the girl child, and to continue to seek assistance from ILO-IPEC in this respect.

...

656. The Committee is concerned about the extent of sexual exploitation and trafficking of children for this or other purposes, in particular economic exploitation, and about the lack of effective programmes to address this problem.

657. In light of articles 34 and 35 and other related articles of the Convention, the Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the causes, nature and extent of trafficking in children for various purposes, including commercial sexual exploitation;

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- (b) Proceed with plans to amend the Penal Code so as to make the exploitation and trafficking of children criminal offences;
 - (c) Strengthen measures and adopt multidisciplinary and multisectoral approaches to prevent and combat trafficking in children and sexual exploitation of children and adolescents;
 - (d) Undertake awareness-raising campaigns, particularly for parents;
 - (e) Ensure that trafficked children and children who have been subjected to sexual and economic exploitation are always treated as victims and that perpetrators are prosecuted;
 - (f) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;
 - (g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, signed by the State party in December 2000;
 - (h) Collaborate with NGOs working on these issues and seek technical assistance from, among others, the Inter-American Children’s Institute and UNICEF.
- Nigeria, CRC, CRC/C/146 (2005) 135 at paras. 735-739.

735. The Committee is of the view that implementation of the existing legislation is not effective, and is deeply concerned that the number of children who fall victim to sexual exploitation is on the increase in the State party. The Committee also notes with concern that reports of sexual assaults and rape of young girls are on the increase, especially in the north. The Committee is concerned that children victims of sexual exploitation often do not receive adequate protection and/or recovery assistance, but may even be treated as perpetrators of a crime.

736. The Committee recommends that the State party:

 - (a) Undertake a comprehensive study to examine the sexual exploitation of children and child pornography, gathering accurate data on its prevalence;
 - (b) Take appropriate legislative measures and develop an effective and comprehensive policy to prevent and combat sexual exploitation of children and child pornography, including the factors that place children at risk of such exploitation;

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- (c) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute cases, in a child-sensitive manner that protects children and respects the privacy of the victim;
- (d) Prioritize recovery assistance and ensure that education and training as well as psychosocial assistance and counselling are provided to victims, and that victims that cannot return to their families are provided with adequate alternative solutions and are institutionalized only as a last resort;
- (e) Avoid criminalizing child victims of sexual exploitation in all circumstances; and
- (f) Implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

737. The Committee notes with appreciation the State party’s ratification of the ILO Convention No. 138 concerning Minimum Age for Admission to Employment and the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in October 2002. However, it remains concerned at the significant number of children in Nigeria working as domestic servants, in plantations, in the mining and quarrying sector, and as beggars on the streets. The Committee is also concerned that exploitation and abuse commonly take place in the context of extended family fostering and apprenticeship.

738. The Committee is also gravely concerned by the reports of forced child labour taking place in the State party. While acknowledging efforts made by the State party and United Nations agencies to reduce this phenomenon, the Committee regrets that the outcomes of such efforts have been poor.

739. The Committee recommends that the State party:

- (a) Continue and strengthen its efforts to eliminate child labour, in particular by addressing the root causes of child economic exploitation through poverty eradication and to develop a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations, law enforcement personnel, labour inspectors and ILO-IPEC;
- (b) Make every effort, including preventive measures, to ensure that those children who do work do so in accordance with international standards, do not work under conditions which are harmful to them, receive appropriate wages and other work-related benefits and continue to have access to formal education and other developmental opportunities; and

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(c) Take action to implement all policies and legislation relevant to child labour, *inter alia*, through awareness-raising and educational campaigns for the public on the protection of the rights of children.

- Saint Lucia, CRC, CRC/C/150 (2005) 10 at paras. 91, 92, 95 and 96.

91. The Committee is concerned that the State party has no provisions for the classification of hazardous and non-hazardous work, as well as regulations guiding the conditions of employment. The Committee is also concerned about child labour in the informal economy in urban areas.

92. The Committee recommends that the State party adopt a comprehensive legal framework for children engaged in the workforce which is in compliance with article 32 of the Convention on the Rights of the Child as well as the Worst Forms of Child Labour Convention, 1999 (No. 182). The Committee further recommends that the State party ratify the Minimum Age Convention, 1973 (No. 138).

...

95. The Committee notes with appreciation that the problem of sexual abuse has been recognized by the State party, however it remains concerned that the scope of the issue has not been fully and systematically uncovered and that existing legislation protecting children from sexual abuse and exploitation does not explicitly refer to the male child.

96. The Committee recommends to the State party that it:

(a) Undertake a comprehensive study on the sexual exploitation and abuse of children and use the data to design policies and programmes to prevent commercial sexual exploitation of children, including through the development of a national plan of action on commercial sexual exploitation of children as agreed at the First and Second World Congresses against Commercial Sexual Exploitation of Children;

(b) Adopt legislative measures and ensure protection from sexual abuse and exploitation for both boys and girls;

(c) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner that respects the privacy of the victim.

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 174, 175, 182, 183 and 186-191.

174. Notwithstanding the State party's efforts to develop and organize sports and cultural

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activities for children, the Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children and the discrepancies between *barangays* in this respect. The Committee is concerned that there are several groups of children, such as children not involved in primary education, child labourers and street children, who neither have equal right to enjoy their right to rest and leisure nor to engage in play, sport, recreational and cultural activities.

175. In the light of article 31 of the Convention, the Committee recommends that the State party make all necessary efforts to protect the right of the child to rest, leisure, cultural and recreational activities. The Committee recommends that the State party strengthen its efforts to promote the right of the child to engage in play by providing children with creative play facilities. It requests the allocation of adequate human and financial resources to the implementation of this right and the payment of particular attention to vulnerable groups of children, such as children outside of the educational system, child labourers and street children.

...

182. The Committee welcomes the ratification of the Minimum Age Convention, 1973 (No. 138) in June 1998 and the Worst Forms of Child Labour Convention, 1999 (No. 182) in November 2000. The Committee notes with appreciation the State party's efforts to combat child labour, for example through implementing the National Programme against Child Labour, the Omnibus Rules implementing the Labour Code, the establishment of local-level Programme Implementation Committees on Child Labour and the fruitful cooperation with the International Labour Organization and its International Programme on the Elimination of Child Labour. Despite these positive efforts, the Committee is deeply concerned at the high number of child workers (3.7 million working children) in the State party. The Committee is concerned about cultural attitudes and practices as regards child labour and the weak enforcement of labour laws.

183. The Committee recommends to the State party that it:

- (a) Effectively implement its domestic labour laws and the National Programme against Child Labour as well as its subprogrammes, for example the Elimination of Child Labour in the Tobacco Industry Project and ensure that child workers participate in discussions about the solution to this problem;
- (b) Improve the labour inspection system in order to safeguard that work performed by children is light work and not exploitative and, in particular, empower the system to monitor and report on the practice of domestic and rural labour by children;
- (c) Provide former child workers with appropriate recovery and educational opportunities;
- (d) Continue to seek technical assistance from the International Labour

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Organization/International Programme on the Elimination of Child Labour.

...

186. The Committee reiterates its grave concern at the high number of children living in the streets and their special vulnerability to various forms of violence and abuse, including sexual abuse and exploitation, economic exploitation and substance abuse. The Committee notes the lack of a systematic and comprehensive strategy to address the situation and protect children living in the streets...

187. The Committee recommends that the State party:

(a) Develop a comprehensive strategy with active participation of street children, non-governmental organizations and relevant professionals to address the high number of street children, with the aim of reducing and preventing this phenomenon;

...

(c) Ensure that street children are reached through trained street educators and counsellors and provided with adequate nutrition, clothing and shelter as well as with social and health services and educational opportunities, including vocational and life skills training, in order to support their full development and provide them with adequate protection and assistance;

(d) Provide street children with adequate recovery and social reintegration services for physical, sexual and substance abuse and promote reunification with their families, when feasible;

...

188. The Committee expresses its grave concern about the sexual exploitation of children, including growing child prostitution, and the reported cases of child pornography in the State party. The Committee notes with concern that the provisions of the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act are mainly related to child prostitution and do not adequately protect victims of other forms of sexual exploitation. Furthermore, the Committee notes with concern that the minimum age of sexual consent is not clearly enough established in the State party's domestic legislation and that the Revised Penal Code (Republic Act No. 3815) imposes maximum penalties for sexual offences when the victim is under 12 years of age but imposes lower penalties for sexual offences against minors over 12 years of age.

189. The Committee welcomes the adoption of, in 2003, the new Anti-Trafficking in Persons law and other measures taken by the State party in the areas of prevention of trafficking and protection of victims, such as the establishment of Anti-Illegal Recruitment Coordination Councils, the Trade Union Child Labour Advocate initiative and the establishment of an Executive Council to suppress trafficking in persons particularly women and children. But the Committee is gravely concerned about trafficked Philippine children both within the country and across borders. The Committee expresses its concern about existing risk factors contributing to trafficking activities, such as persistent poverty,

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temporary overseas migration, growing sex tourism and weak law enforcement in the State party.

190. The Committee urges the State party to:

(a) Review its domestic laws on the protection of children against sexual exploitation, including the use of children for pornography, in order to provide all child victims of such exploitation with equal protection, *inter alia*, by including in the law equal sanctions to all perpetrators of sexual offences against children;

(b) Set a clearly defined minimum age of sexual consent at an internationally acceptable level in its domestic law;

(c) Conduct a comprehensive study to assess the causes, nature and extent of commercial sexual exploitation and trafficking of children;

(d) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children;

(e) Pay particular attention to existing risk factors, such as the growing sex tourism in the region and continue to collaborate with the Department of Tourism and tourism service providers in this respect;

(f) Launch awareness-raising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and sensitize officials working with and for victims of trafficking.

191. With regard to the trafficking of children in the Philippines, within the country and across its borders, the Committee endorses the recommendation adopted by the Human Rights Committee at its seventy-ninth session in 2003 (CCPR/CO/79/PHL, para. 13) on taking appropriate measures to combat trafficking in all its forms, by ensuring effective enforcement of the relevant legislation and imposing sanctions on those found responsible.

- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 267, 268 and 271-274.

267. The Committee is concerned at the information that a significant number of children, especially Roma, are living or working on the streets, that the majority of these children are under 14, that most of them do not attend schools and nearly half of them appear to be ill. Furthermore, the Committee notes with concern that the work performed by these children

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is often harmful and exploitative and that many of them are compelled or forced to work.

268. The Committee recommends that the State party:

(a) Undertake a comprehensive national survey of the number, composition and characteristics of working children and of children living and working in the streets in order to design and implement comprehensive strategies and policies to prevent and combat their economic exploitation;

(b) Ensure that street children are provided with adequate nutrition, clothing, housing, health-care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(c) Ensure the implementation of legislation fully covering article 32 of the Convention, and ILO Conventions No. 138 (1973) and No. 182 (1999);

(d) Seek assistance from the ILO International Programme on the Elimination of Child Labour (IPEC) and UNICEF, among others.

...

271. While the Committee welcomes some positive developments in the prosecution of those responsible for serious crimes against women and girls in the context of trafficking and forced prostitution, as well as the adoption by the Council of Ministers of a national plan of action to combat trafficking in 2001, it is concerned that a growing number of children under 18, especially adolescent girls, are still being trafficked for the purpose of sexual exploitation. The Committee is further concerned that the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography has not been adequately addressed within the criminal justice systems.

272. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party further strengthen its efforts to fully implement and incorporate the above-mentioned Optional Protocol in the criminal justice systems as well as to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by undertaking studies to assess the nature and magnitude of the problem and allocating sufficient resources to this field. Furthermore, the Committee should, *inter alia*:

- Provide adequate and systematic training to all professional groups concerned, in particular law enforcement officials;
- Launch awareness-raising and prevention campaigns targeting in particular children;
- Seek assistance from UNICEF, among others.

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273. The Committee is also concerned at reports that, at the local level, police officers are believed to be often acquiescent, if not actively involved, in trafficking-related activities.

274. The Committee recommends that thorough, independent and effective investigations be carried out regarding the allegations that police officers may be involved in trafficking-related activities and to impose on them - if found guilty - appropriate penal and/or other sanctions.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 284, 316, 318, 322, 324, 334, 335, 362, 363 and 368-377.

284. The Committee notes the adoption of the following laws aimed at enhancing the implementation of the Convention: (a) the Child Labour (Prohibition and Regularization) Act in 2000, which defines hazardous work and prohibits the employment of children under the age of 16 and (b) the *Kamaiya* Prohibition Act in 2002, which codified the emancipation of bonded labourers, penalized employers engaged in *Kamaiya* labour practices, and established governmental *Kamaiya* relief funds.

...

316. While noting that discrimination is prohibited under the Constitution and other relevant legislation, as well as the various efforts undertaken by the State party to eliminate discrimination, the Committee reiterates its deep concerns about the widely prevailing *de facto* discrimination against girls and children belonging to the most vulnerable groups such as the *Dalit* community, children belonging to indigenous or ethnic minority groups, refugee and asylum-seeking children, street children, children with disabilities and children living in rural areas. The Committee notes with grave concern that as a consequence of prevailing discriminatory attitudes, children belonging to vulnerable groups are particularly likely to fall victim to abuse and exploitation.

...

318. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the right to non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. In this regard, the Committee urges the State party to prioritize and target social services for children belonging to the most vulnerable groups, and to take all effective measures to ensure their protection from exploitation. The Committee encourages the State party to launch comprehensive public information campaigns to prevent and combat all forms of discrimination.

...

322. While noting that birth registration is mandatory by law, the Committee is concerned that despite the efforts of the State party, the low rate of birth registration remains a problem, particularly in rural areas, and has been exacerbated by the conflict which has reduced the

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ability of local authorities to carry out “public administration services”, including birth registration. The Committee is concerned that children who have not been registered at birth are more vulnerable to abuse and exploitation, including recruitment into armed groups, as their ages cannot be established.

...

324. In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts, including awareness-raising campaigns, to ensure the registration of all children at birth. In this regard, the Committee recommends that the State party ensure that local government authorities, which are entrusted with the task of birth registration, actively engage with the local communities to ensure that births are registered in a timely and effective manner. In this regard, the Committee urges the State party to seek assistance from, *inter alia*, UNICEF, non-governmental organizations and other members of the civil society.

...

334. Given the significant number of Nepalese children who are adopted by foreigners and in the context of the current armed conflict in the State party, the Committee is concerned at the lack of a clear policy and appropriate legislation on intercountry adoption, which results in various practices, such as trafficking and smuggling of babies. The Committee is particularly concerned about the absence of due judicial process, including technical assessment of the capacity of the parents or guardians, in cases involving termination of the parental responsibility. The Committee also expresses concern regarding the practice of the so-called informal adoption, which may entail exploitation of children as domestic servants.

335. The Committee recommends the State party to develop and implement policies and legal provisions regarding intercountry adoption to guarantee that the practice of this form of adoption is in full conformity with the principles and provisions of the Convention, in particular, article 21. In this regard, the Committee recommends the State party to, in particular:

- (a) Ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, in order to *inter alia*, prevent trafficking and smuggling of children;
- (b) Review the current mechanisms and procedures for domestic and intercountry adoption, particularly the role and the responsibilities of the national and district level decision-making bodies with a view to ensuring that professionals responsible for adoption cases are fully equipped with the technical expertise needed to review and process cases in the light of the Hague Convention;
- (c) Develop and implement strict criteria for the adoption of Nepalese children, ensuring in particular that reasonable time is given for an effective tracing of the parents or close relatives of children separated from them as a result of the armed conflicts, and abolish the provisions in the Conditions and Procedures made to provide Nepalese Children to Foreign

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Nationals for Adoption (2000), that states that poverty of the parents of a child can be a legal ground for adoption;

(d) Ensure that exhaustion of all means to prevent termination of parental responsibility and/or separation of the child is set as a clear criteria in all cases involving adoption;

(e) Regulate and monitor the practice of placing children with close relatives or others, to prevent children from being exploited, and to ensure that all their rights, including the right to education and to health care are fully respected.

...

362. The Committee is highly alarmed by the number of children who were killed in armed conflicts in the State party. The Committee notes with grave concern the reports of abduction and forcible conscription of children by the armed groups for political indoctrination and for use as combatants, informants, cooks or porters and as human shields. The Committee is equally concerned that Government forces target under 18s suspected of being members of the armed groups and about the highly alarming reports of disappearances and arbitrary detention and of Government forces allegedly using children as spies and messengers. The Committee is also deeply concerned that there are reports of detention of children under the 2004 amendment to the Terrorist and Disruptive Activities (Control and Punishment) Ordinance...

363. The Committee recommends that the State party develop a comprehensive policy and programme for implementing the rights of children who have been affected by conflict, and allocate human and financial resources accordingly. In particular, the Committee recommends that the State party:

(a) Criminalize abduction, recruitment and use of children for military purposes by any armed forces or armed group;

(b) Establish a separate Rule of Engagement for its security forces with regard to children;

(c) Amend or repeal the Terrorist and Disruptive Activities (Control and Punishment) Ordinance in the light of the international juvenile justice standards and norms;

(d) Develop, in collaboration with NGOs and international organizations, a comprehensive system of psychosocial support and assistance for children affected by conflict, in particular child combatants, unaccompanied internally displaced persons and refugees, returnees;

...

368. While noting the efforts taken by the State party to eliminate the phenomenon of sexual exploitation of children, the Committee is gravely concerned about the large number of children in the State party who are sexually exploited. The Committee is of the view that insufficient efforts have been taken to protect the particularly vulnerable groups of children

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from sexual exploitation. Specifically, the Committee notes with concern that children of lower castes are disproportionately represented among sex workers, and about the persistence of the customary practice known as *Badi*, whereby young girls of the *Bedi* caste are forced into prostitution.

369. The Committee further notes that article 7 of the Children Act which protects children from cruel treatment and torture is not applicable to sexual abuse cases that do not necessarily reach the threshold of cruel treatment or torture. The Committee is also concerned at the low rate of prosecutions for perpetrators of sexual exploitation of children and that there is little in the way of public campaigns to educate the population on the laws governing sexual exploitation.

370. The Committee recommends that the State party, allocate resources as a matter of priority to:

- (a) Enact appropriate legislation that ensures protection from sexual abuse and exploitation for boys and girls under 18 years;
- (b) Undertake a comprehensive study to examine the sexual exploitation of children, gathering accurate data on its prevalence;
- (c) Take appropriate legislative measures and develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation, in particular children belonging to the *Bedi* and other lower castes;
- (d) Avoid criminalizing child victims of sexual exploitation and ensure proper prosecution of perpetrators;
- (e) Implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, including establishment of rehabilitation centres in all regions, in accordance with the Declaration and Agenda for Action adopted at the First World Congresses against Commercial Sexual Exploitation of Children and the Yokohama Global Commitment 2001 adopted at the Second World Congress;
- (f) Seek assistance from, *inter alia*, UNICEF.

371. The Committee notes with satisfaction the various efforts taken by the State party to eliminate the worst forms of child labour, in cooperation with the civil society actors, the donor community, and most notably, the International Labour Organization, including ratification of relevant ILO Conventions and national laws..., the planned adoption of a National Master Plan and of the Time Bound Programme.

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372. Nevertheless, the Committee remains gravely concerned about the significant proportion of children in the State party who engage in labour, which is often full-time, and extremely hazardous. The Committee is also concerned that the enforcement of domestic legislation in this area remains weak. The Committee is concerned about the shortage of labour inspectors due to the State party's lack of financial resources. The Committee is also concerned that even though a large majority of the population, including children, work in the informal economy, the Child Labour Act which prohibits unlawful employment of children applies only to formal sectors of the economy.

373. While welcoming the abolition in 2000 of the *Kamaiya* system of bonded labour and the enactment in 2002 of the *Kamaiya* Prohibition Act, the Committee is concerned that a large number of *Kamaiya* children remain unreleased and continue to work as bonded labourers, and that many thousands of *Dalit* bonded labourers (*haliya*), including children, are reported to be working in agriculture in Western Nepal and in the plains. The Committee is particularly concerned that they continue to face serious difficulties in the areas of the right to housing, land, work and education.

374. The Committee recommends the State party to strengthen the enforcement of the existing legislation and policies to eradicate the practice of bonded labour by children. The Committee also urges the State party to make every effort, including taking preventive measures, to ensure that those children who engage in labour do not work under conditions which are harmful to them and that they continue to have access to education. The Committee urges the State party to amend the Master Plan for Child Labour, Child Labour Act and other relevant legislation so that the necessary regulation of child labour applies to all areas of work, including the informal sector of the economy. The Committee further recommends the State party to take action to fully implement all policies and legislation relevant to child labour, *inter alia*, through public awareness campaigns and education for the public on the protection of the rights of children.

375. Furthermore, the Committee recommends the State party to strengthen the implementation of the *Kamaiya* Prohibition Act, and to take effective measures to ensure the social integration of the emancipated *Kamaiya* workers...

376. The Committee takes note of the various efforts undertaken by the State party to combat child trafficking and welcomes the information that police officers are being trained in issues relating to sexual exploitation and trafficking of women and children. However, the Committee remains deeply concerned about the perversity of the phenomenon of trafficking and sale of children within Nepal and across the border for the purposes of sexual exploitation and bonded labour. The Committee notes with grave concern that certain groups of children are at a particularly higher risk of being sold and trafficked, including girls, internally displaced children, street children, orphans, children from rural areas, refugee children and children belonging to more vulnerable castes. The Committee further

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expresses concern that the existing legal protection for victims of trafficking, most notably the Human Trafficking Control Act, is inadequate, and that its implementation is seriously inadequate. The Committee is also concerned that the child victims of sexual exploitation do not receive adequate protection and recovery assistance.

377. The Committee recommends that the State party:

- (a) Upgrade its system of data collection on the sale, trafficking and abduction of children and ensure that all data and indicators are used for the formulation, monitoring and evaluation of policies, programmes and projects;
- (b) Develop a comprehensive legal framework to protect children from trafficking;
- (c) Take effective measures to strengthen law enforcement, and intensify efforts to raise awareness in communities about the sale, trafficking and abduction of children;
- (d) Ensure that the implementation of the National Strategy on HIV/AIDS 2002-2006, Education for All Programme 2004-2009, Master Plan of Action on Child Labour, are all linked to the National Plan of Action on Trafficking, in order to achieve a comprehensive and effective approach;
- (e) Ensure that appropriate assistance and support are provided to all child victims, including access to basic services by children who are awaiting repatriation;
- (f) Seek to establish bilateral agreements with neighbouring countries, in particular India, to prevent the sale, trafficking and abduction of children, and to facilitate their protection and safe return to their families;
- (g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and
- (h) Seek cooperation with, and assistance from, *inter alia*, UNICEF and the International Organization for Migration.

- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 453-456, 459 and 460.

453. While welcoming the measures taken by the State party to combat the worst forms of child labour, the Committee is deeply concerned at the high number of children between the age of 5 and 15 working in the State party. It is also concerned, as noted by the State party, that approximately 4,000 children are involved in mining work, and that a substantial

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number of children works in the banana sector.

454. The Committee urges the State party to continue to strengthen its legislative and other measures to combat child labour. In this regard, the Committee recommends that the State party:

- (a) Effectively implement its domestic legislation and programmes to progressively eradicate child labour with the active participation of working children;
- (b) Improve and enhance the human and financial capacity of the labour inspection system to effectively implement the child labour laws, including the prohibition against employing children in harmful and hazardous work;
- (c) Provide former child workers with appropriate recovery, education and vocational training opportunities.

455. The Committee takes note with appreciation of the considerable efforts undertaken by the State party and the various studies conducted by different institutions regarding the issue of sexual exploitation and trafficking of children, as reported by the State party. The Committee expresses its deep concern at the high number of children involved in commercial sexual exploitation and at the insufficient measures adopted by the State party in this regard.

456. The Committee recommends that the State party:

- (a) Undertake appropriate legislative measures, including the revision of the Penal Code in order to criminalize, among others, sexual exploitation, pornography and sex tourism, as reported in the replies to the list of issues;
- (b) Develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation;
- (c) Avoid criminalizing child victims of sexual exploitation;
- (d) Implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, in accordance with the Declaration and Agenda for Action of the first World Congress against Commercial Sexual Exploitation of Children and the Yokohama Global Commitment 2001 adopted at the second World Congress.

...

459. The Committee takes note of the various measures undertaken by the State party with regard to indigenous children, including the implementation of the bilingual intercultural education system. However, the Committee remains concerned about the limited enjoyment

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of rights by indigenous children, particularly with regard to access to education and health due to widespread poverty. It is also concerned that indigenous children:

(a) Begin to work in agricultural and domestic activities at 5 years of age for boys and 4 years for girls;

...

(c) Are often victims of sexual abuse.

460. The Committee recommends that the State party take all necessary measures to protect the rights of indigenous children against discrimination and to guarantee their enjoyment of the rights enshrined in domestic law and in the Convention. In this regard, the Committee refers the State party to its recommendations adopted following its day of general discussion on the rights of indigenous children at its thirty-fourth session in 2003. The Committee further recommends that the State party provide indigenous communities, including children with sufficient information regarding birth registration procedures, child labour, HIV/AIDS, child abuse and neglect, including corporal punishment.

- Norway, CRC, CRC/C/150 (2005) 105 at paras. 505 and 506.

505. The Committee expresses concern about the large number of unaccompanied asylum-seeking children (33 in 2003) who disappear from reception centres in the State party. It is particularly concerned that these children are vulnerable to abuse and exploitation...

506. The Committee urges the State party to strengthen measures to ensure that adequate support and supervision are provided to children living in reception centres, as well as adequate psychological and psychiatric care for traumatized asylum-seeking children...

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 573-576, 579 and 580.

573. The Committee notes with appreciation the efforts made by the State party to better safeguard the right of the child to be protected from the exploitation of child labour, such as the ratification of the ILO Convention No. 138 (1973) concerning minimum age for admission to employment, in 2002 and No. 182 (1999) concerning worst forms of child labour, in 2001, the adoption of the Labour Code provisions in 1999, which establish a minimum age for employment as 16, and the adoption of the list of workplaces forbidden to employment of minors, in 1999, as well as the signing of a Memorandum of Understanding with the ILO's International Programme on the Elimination of Child Labour (IPEC) in 1999 and participation in the IPEC activities.

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574. Notwithstanding the positive steps taken by the State party, the Committee is concerned at the high rate of working children in Mongolia and the various kinds of negative consequences resulting from the exploitation of child labour, including the school dropouts and negative impacts on health caused by the harmful and hazardous work. The high number of child domestic and rural workers and children working in very harmful conditions in gold and coal mines give cause for serious concerns.

575. Furthermore, the Committee is concerned at the hazardous situation of children increasingly involved and exploited in traditional horse racing, which has undergone considerable changes from traditional sports to profitable businesses with child-abusive and exploitative features. In particular, it is concerned, that children, sometimes as young as 8 years old, are involved and that such involvement can generate serious injuries, even fatalities.

576. The Committee recommends that the State party take immediate and effective measures:

- (a) To ensure the full implementation of child labour provisions, including the prohibition against employing children in harmful or hazardous work, and the effective prevention of child labour, including child domestic labour and child rural labour, by implementing article 32 of the Convention on the Rights of the Child and ILO Conventions Nos. 138 (1973) and 182 (1999), which the State party has ratified, and by taking into account ILO recommendations Nos. 146 and 190;
- (b) To improve the monitoring of child labour in the country by increasing the number of trained labour inspectors;
- (c) To ensure that working children have access to quality education, including vocational and non-formal education and that they are given sufficient time off to enjoy their right to education as well as to rest, leisure and recreational activities;
- (d) To influence public attitudes on child labour by undertaking awareness-raising campaigns, particularly for children, parents and other caregivers, on various kinds of negative consequences resulting from the exploitation of child labour, including child domestic labour and rural labour;
- (e) To address the issue of child jockeys in traditional horse racing by undertaking a comprehensive study to assess the nature and extent of exploitation of children in the horse-racing business and by explicitly prohibiting the employment of children under the age of 16 as jockeys in these races in line with the minimum age for work set in the labour law;
- (f) To continue to seek assistance from ILO/IPEC.

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579. The Committee is deeply concerned at the increasing number of children engaged in prostitution. While noting that trafficking in children is a relatively new human rights problem in Mongolia, the Committee is concerned about certain risk factors, including persisting poverty, the high rate of unemployment, difficult family circumstances that lead to runaways from home and a growth in tourism, which may increase sexual exploitation and trafficking in children.

580. In order to prevent and combat trafficking in children for sexual and other exploitative purposes, the Committee recommends that the State party:

(a) Develop and adopt a comprehensive national policy to prevent and combat sexual exploitation and trafficking in children, including the root causes and factors that place children at risk of such exploitation;

(b) Strengthen its efforts and legislation to identify and investigate trafficking cases, to improve understanding of the issues of trafficking and ensure that perpetrators are prosecuted;

(c) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted, respectively, at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(d) Sign and ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- Nicaragua, CRC, CRC/C/150 (2005) 132 at paras. 651-655, 660 and 661.

651. The Committee expresses concern at the information that child labour has increased consistently in the last years owing to, *inter alia*, migration from the countryside and intensification of poverty.

652. The Committee further notes that domestic legislation does not seem to contain provisions punishing the sale and trafficking of children for the purpose of economic exploitation.

653. The Committee recommends that the State party:

(a) Undertake a survey of the number of children working, including as domestic servants

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and in the agricultural sector, in order to design and implement comprehensive strategies and policies to prevent and combat economic exploitation;

(b) Secure the prohibition of the sale and trafficking of children for the purpose of economic exploitation;

(c) Ensure the implementation of legislation fully covering article 32 of the Convention, and ILO Conventions No. 138 (1973) and No. 182 (1999);

(d) Ensure the implementation of the National Strategy Plan for the Prevention and Eradication of Child Labour and Protection of Young Workers (2001-2005);

(e) Undertake awareness-raising campaigns to prevent and combat the economic exploitation of children;

(f) Seek technical assistance from the International Programme on the Elimination of Child Labour (IPEC/ILO) and UNICEF, among others.

654. The Committee is also concerned that the National Commission for the Eradication of Child Labour and the Protection of Young Workers (CNEPTI), which is the coordinating body between the Government, the NGOs and the organizations of employers and workers, lack the necessary financial resources for carrying out its monitoring activities for the eradication of child labour.

655. The Committee recommends that the State party take all feasible measures - including by providing CNEPTI with the necessary financial and human resources - in order to enable it to carry out its important functions.

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660. While welcoming the measures taken by the State party to combat and raise awareness about the problem of sexual exploitation and trafficking in persons, the Committee is concerned at the information that a consistent number of children are victims of sexual violence, pornography, paid sexual activity and sexual tourism in Nicaragua and that sexual abuse and exploitation in its various forms, including trafficking, pornography and sexual tourism, have not been classified yet as crimes in the Penal Code.

661. The Committee recommends that the State party:

(a) Rapidly adopt the proposed new Nicaraguan Penal Code, which classifies sexual exploitation as a crime in its various forms;

(b) Undertake a study on the sexual exploitation of children in order to assess its scope and causes, enable effective monitoring of the problem and develop measures and programmes,

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including social reintegration programmes, to prevent, combat and eliminate it;

(c) Approve and implement a national plan of action against sexual exploitation and trafficking of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted, respectively, at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(d) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints, in a child-sensitive manner that respects the privacy of the victim;

(e) Seek technical assistance from among others, UNICEF and the International Labour Organization (ILO).

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 716-719.

716. The Committee welcomes the ratification by the State party of International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182); the measures taken by the State party to prohibit the economic exploitation of children; as well as the various projects implemented with the technical and financial assistance of the International Labour Organization/International Programme on the Elimination of Child Labour to eliminate child labour. The Committee also welcomes the State party's efforts to prohibit hazardous work for persons below the age of 18. The Committee remains concerned however at the large number of working children between the ages of 5 and 17 who work in the "informal" labour market and have consequently been excluded from the educational system, in particular in rural areas.

717. The Committee recommends that the State party continue to take effective measures, with the technical and financial assistance of International Labour Organization/International Programme on the Elimination of Child Labour, to eliminate prohibited child labour, in particular in rural areas where the phenomenon is more prevalent, *inter alia* by designing special programmes aiming at combating child labour.

718. The Committee welcomes the ratification by the State party of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the measures taken by the State party to prevent and combat sexual abuse and exploitation of children. The Committee further welcomes the inclusive participation of non-governmental organizations in this process and the development of a National Plan against Sexual Exploitation of Children and Adolescents (2001). The Committee also welcomes the direct initiatives in cooperation with hotels and the travel industry to combat sex tourism. However, the Committee remains concerned at the low level

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of coordination among institutions, the lack of assistance available for victims of sexual exploitation, as well as information received by the Committee whereby the number of children victims of sexual exploitation might be increasing, in particular among street children.

719. The Committee endorses the recommendations of the International Labour Organization/International Programme on the Elimination of Child Labour Assessment on the commercial sexual exploitation of minors of April 2002 whereby the State party should promote and develop universal policies that directly address the social, economic and ideological factors which render the under-18 population so vulnerable to sexual exploitation and foster the conditions for commission of this crime; promote and develop intersectoral programmes and institutions aimed at early prevention and at assisting young girls and adolescents at risk of sexual exploitation, or who are already its victims; promote and develop programmes of comprehensive assistance to victims; reform the legislation with a view to bringing penal standards into line with the Convention on the Rights of the Child and the Worst Forms of Child Labour Convention, 1999 (No. 182), as well as the allocation of a larger budget dedicated specifically to battling sexual exploitation. In developing these programmes, the Committee recommends the participation on a voluntary basis of adolescents who were themselves victims of commercial sexual exploitation. The Committee further recommends that the State party seek the technical cooperation of UNICEF in this respect. The Committee further recommends that the State party take appropriate measures to strengthen the role of PANI and the Ministry of Labour including through allocation of resources in combating child labour, in particular in the “informal” market. Finally, the Committee recommends that the State party provide information in its next periodic report about the measures taken to protect child domestic workers.

- Yemen, CRC, CRC/C/150 (2005) 161 at paras. 795, 796, 801 and 802.

795. The Committee notes the various measures adopted by the State party in order to address the problem of child labour, including the establishment of a child labour unit within the Ministry of Social Affairs and Labour and the appointment of a national coordinator for the International Labour Organization International Programme on the Elimination of Child Labour (IPEC). However, the Committee remains deeply concerned about:

- (a) The high prevalence of child labour and the fact that the phenomenon is widely accepted in society; and
- (b) The fact that many child labourers, notably children working as domestic servants, are very vulnerable to abuse, including sexual abuse, and completely lack protection.

796. The Committee recommends that the State party:

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(a) Continue to strengthen its efforts to eradicate child labour, in particular by addressing the root causes of economic exploitation through poverty eradication and access to education;

(b) Ensure the effective implementation of the ILO Convention No. 138 (1973) concerning the minimum age for admission to employment as well as the ILO Convention No. 182 (1999), in particular by taking measures to ensure that no child under 18 is involved in hazardous work, establishing clear regulations for light work for children under 15, and ensuring proper registration of employees of all working children in line with the suggestions by the ILO Committee of Experts;

(c) Undertake a study to address the problems faced by children working in the informal sector, including those working as domestic servants and ensure their rights to education, health and family links; and

(d) Develop a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations and ILO/IPEC.

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801. The Committee is deeply concerned at the information that many children are trafficked to Saudi Arabia, often with the support of their parents, and that quite a number of them are sent back to Yemen and end up in the streets of larger cities.

802. The Committee urges that the State party strengthen its efforts to address this problem and pay particular attention, in close cooperation with the authorities of Saudi Arabia, *inter alia*, to children who are abused and exploited and undertake measures to prevent children who are sent back from ending up in the streets. The Committee also recommends that the State party undertake awareness campaigns on the risks that children are running when they are sent abroad.

- Norway, CRC (Optional Protocol - Sale of Children, Prostitution, Pornography), CRC/C/150 (2005) 177 at paras. 820, 821, 826-828 and 830-838.

820. The Committee expresses its concern at the lack of efforts to raise awareness among the public about the provisions of the Optional Protocol. It also notes with concern that it has been difficult to estimate the need for specific training courses due to a general lack of research-based information on the areas covered by the Optional Protocol.

821. The Committee recommends that the State party take measures to raise awareness among its population, including children and parents, about the provisions of the Optional Protocol.

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826. The Committee notes with appreciation the adoption by the State party, on 4 July 2003, of a revised provision on human trafficking in the Penal Code (sect. 224), which aims at preventing, suppressing and punishing trafficking in persons, especially women and children. The Committee also takes note of the provisions of section 204 of the Penal Code which sets penalties for involvement in child pornography, defined as moving or non-moving pictures of a sexual nature involving the use of children. The Committee is concerned that the offences contained in the legislation of the State party do not cover all the acts mentioned in article 3(1)(c) of the Optional Protocol, that is, the acts of “producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography”.

827. The Committee recommends that the State party ensure that all children under the age of 18 are protected under the Penal Code and that this protection cover all acts and activities related to “producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography”. Furthermore, the Committee encourages the State party to separate child pornography from the general provision of pornography, in line with the recommendations of the Parliament.

828. The Committee encourages the State party to consider adopting specific legislation on the obligations of Internet service providers in relation to child pornography on the Internet.

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830. The Committee is concerned that expertise relating to sexually exploited children is limited in the child welfare service in the State party.

831. The Committee recommends that the State party continue to strengthen measures to ensure that child welfare workers receive adequate training on the provisions of the Optional Protocol and to provide assistance and support in this area for vulnerable children.

832. The Committee notes the absence of specialized services available for victims of child pornography crimes.

833. The Committee urges the State party to ensure that adequate services are available for victims of child pornography crimes.

834. The Committee notes that child pornography cases are dealt with by the regional police, which lack resources and technological competence effectively to handle the large amounts of data and material on the Internet.

835. The Committee encourages the State party to continue its efforts to strengthen the capacity of the criminal police to deal with crimes related to child pornography on the Internet. The Committee also encourages the State party to continue its efforts to inform children and their parents about the safe use of the Internet.

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836. The Committee notes that the State party is very active in initiating prevention projects in the Baltic States, and encourages the State party to continue its efforts of cooperation at the regional and international levels.

837. The Committee notes the positive efforts made by the State party to strengthen law-enforcement policies at the European and international levels, and it encourages the State party to continue these efforts and to further strengthen and improve its bilateral cooperation with law-enforcement agencies in States which face problems in the area covered by the Optional Protocol.

838. The Committee recommends that the State party continue to strengthen systematic education and training on the provisions of the Convention for all relevant professional groups. In addition, the Committee recommends that the State party make the provisions of the Optional Protocol widely known, particularly to children, through, *inter alia*, school curricula.