

EQUALITY AND DISCRIMINATION - CHILDREN

IV. CONCLUDING OBSERVATIONS

CERD

- Denmark, CERD, A/51/18 (1996) 17 at para. 68.

The "bussing" of schoolchildren should never be discriminatory in effect.

- Republic of Korea, CERD, A/54/18 (1999) 14 at para.62.

Further measures should be taken to ensure that persons of foreign origin, who were born or have settled in the State party, are not subject to discrimination based on ethnic origin. All appropriate measures should be taken, including awareness-raising campaigns, to protect women married to asylum seekers and children of mixed marriages, particularly Amerasian children, from racial discrimination or racial prejudice.

ICCPR

- Japan, ICCPR, A/49/40 vol. I (1994) 23 at paras. 108 and 114.

Paragraph 108

The discriminatory legal provisions concerning children born out of wedlock are of concern. In particular, provisions and practices regarding birth-registration forms and the family register are contrary to articles 17 and 24 of the Covenant. The discrimination in their right to inherit is not consistent with article 26 of the Covenant.

Paragraph 114

The legislation concerning children born out of wedlock should be amended and the discriminatory provisions contained therein should be removed to bring it into line with the provisions of articles 2, 24 and 26 of the Covenant.

- Cyprus, ICCPR, A/49/40 vol. I (1994) 53 at para. 332.

With respect to article 24 of the Covenant, existing laws concerning the protection of children should be reviewed and amended as necessary to conform with the requirements of the Covenant. In particular, the minimum age for marriage, criminal responsibility, penal sanction and the imposition of the death penalty should be changed to conform with present international standards and the spirit

EQUALITY AND DISCRIMINATION - CHILDREN

of article 24, paragraph 1, of the Covenant.

- France, ICCPR, A/52/40 vol. I (1997) 62 at para. 412.

The minimum age of marriage for girls should be raised. The State party should also amend its Civil Code to allow mothers to make the declaration of birth of their children. Furthermore, all children born out of wedlock should be given the same succession rights as children born in wedlock.

- Uruguay, ICCPR, A/53/40 vol. I (1998) 38 at para. 244.

The future Code Relating to Minors (*Codigo del Menor*) discriminates against female minors and fails to protect fully the newborn child, as unmarried minor mothers may register their children at any age whereas minor fathers may only do so from the age of 16 onwards. The State party is urged in the course of drafting this Code to bring the whole of it into full conformity with articles 3 and 24 of the Covenant.

- Iceland, ICCPR, A/54/40 vol. I (1999) 24 at para. 64.

The persistence of discrimination in law and practice against children born out of wedlock is incompatible with articles 24 and 26 of the Covenant. Attention should be paid to the prompt rectification of this situation with regard to all rights to which children are entitled.

See also:

- Libyan Arab Jamahiriya, ICCPR, A/54/40 vol. I (1999) 32 at para. 138.

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at para. 154.

The Committee continues to be concerned about discrimination against children born out of wedlock, particularly with regard to the issues of nationality, family registers and inheritance rights. Pursuant to article 26 of the Covenant, all children are entitled to equal protection, and necessary measures should be taken to amend the State party's legislation, including article 900, paragraph 4, of the Civil Code.

EQUALITY AND DISCRIMINATION - CHILDREN

- Kuwait, ICCPR, A/55/40 vol. I (2000) 65 at para. 482.

The State party should ensure the right of all children in Kuwait to measures of special protection pursuant to articles 24 and 26 of the Covenant. The State party is under an obligation to respect article 24, paragraph 3, of the Covenant, in order to ensure that every child has the right to acquire a nationality.

- The Netherlands (Antilles), ICCPR, A/56/40 vol. I (2001) 76 at para. 82(21).

It is regretted that the distinctions between legitimate and illegitimate children who have not been recognized by their father, and who accordingly suffer disadvantage under inheritance laws, have not been eliminated. The State party should remove all distinctions between legitimate and illegitimate children in compliance with articles 24 and 26 of the Covenant.

- Czech Republic, ICCPR, A/56/40 vol. I (2001) 83 at para. 83(9).

It is of particular concern that a disproportionate number of Roma children are assigned to special schools designed for mentally disabled children, which would seem to indicate the use of stereotypes in the placement decisions in contravention of article 26 of the Covenant and which make it difficult, if not impossible, to secure admission to secondary schools (art. 26). Immediate and decisive steps should be taken to eradicate the segregation of Roma children in the educational system by ensuring that placement in schools is carried out on an individual basis and is not influenced by the child's ethnic group. Where needed, the State party should also provide special training to Roma and other minority children to secure, through positive measures, their right to education.

- Monaco, ICCPR, A/56/40 vol. I (2001) 89 at para. 84(11).

Concern is expressed about the legal status of children born out of wedlock (article 24). The State party should adopt appropriate legislation to ensure that children born out of wedlock enjoy the same rights as other children.

ICESCR

- Viet Nam, ICESCR, E/1994/23 (1993) 34 at para. 141.

It is noted that some types of discrimination are practised more or less systematically on the basis of preferences in favour of persons from certain groups, such as children of war victims and decorated

EQUALITY AND DISCRIMINATION - CHILDREN

families.

- Morocco, ICESCR, E/1995/22 (1994) 28 at paras. 116 and 123.

Paragraph 116

The discriminatory status of children born out of wedlock is of concern.

Paragraph 123

Measures should be taken to eliminate discrimination and to ensure effective protection against discrimination with regard to children born out of wedlock, as well as any differentiation resulting from the status of parents.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1995/22 (1994) 52 at para. 291.

The information received regarding the treatment of Vietnamese asylum-seekers in Hong Kong is of deep concern. Of particular concern is the situation of the children. The statements made by the Government that these children have no entitlement to the enjoyment of the right to education or to other rights, in view of their status as "illegal immigrants," are alarming.

- Algeria, ICESCR, E/1996/22 (1995) 54 at para. 296.

The fact that children born out of wedlock are subjected to *de jure* and *de facto* discrimination is deplored.

- Uruguay, ICESCR, E/1998/22 (1997) 67 at paras. 371 and 377.

Paragraph 371

It is noted with concern that the Civil Code retains a distinction between "legitimate" children and children born out of wedlock.

Paragraph 377

The necessary legislative and economic measures should be adopted to protect the rights of persons with disabilities and street children. Particular importance should be given to information programmes in respect of health care, both physical and mental. Furthermore, all discriminatory provisions in the Civil Code or family law in respect of children born out of wedlock should be repealed.

EQUALITY AND DISCRIMINATION - CHILDREN

See also:

- Luxembourg, ICESCR, E/1998/22 (1997) 69 at paras. 394 and 403.
- Sri Lanka, ICESCR, E/1999/22 (1998) 22 at paras. 74 and 88.

Paragraph 74

It is noted with concern that existing legislation discriminates against children born out of wedlock who may inherit only from their mother. This legislation violates the rights set forth in article 10 of the Covenant.

Paragraph 88

The minimum legal age for marriage of 18 years, as well as inheritance laws affecting women, should be enforced, thereby superseding discriminatory customs and traditions. All laws that discriminate against children born out of wedlock should be repealed.

See also:

- Nigeria, ICESCR, E/1999/22 (1998) 27 at para. 118.
- Nigeria, ICESCR, E/1999/22 (1998) 27 at para. 134.

Legislation should be enacted and the protection of children against the many negative consequences ensuing from child labour, dropping out of school, malnutrition, and discrimination against children born out of wedlock should be ensured by all appropriate means.

- Morocco, ICESCR, E/2001/22 (2000) 82 at paras. 534, 558 and 559.

Paragraph 534

Persistent discrimination against children born out of wedlock is noted with concern. These children are frequently abandoned by their parents, and their lack of legal protection with regard to personal status and family law is also of concern.

Paragraph 558

The Committee reiterates its previous recommendation that the State party take legislative and other measures to eliminate discrimination and ensure effective protection against discrimination with regard to children born out of wedlock.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 559

It is strongly recommended that the State party address the problem of street children and children born out of wedlock who are abandoned by their parents.

- Japan, ICESCR, E/2002/22 (2001) 90 at paras. 593, 620 and 638.

Paragraph 593

The persisting legal, social and institutional discrimination against children born out of wedlock is of concern, particularly as regards the curtailment of their inheritance and nationality rights.

Paragraph 620

The concept of "illegitimate children", which is unacceptable in a modern society, should be removed from legislation and practice. Urgent legislative and administrative measures should be taken to eliminate all forms of discrimination against children born out of wedlock, and further to restore the Covenant rights of persons so affected (art. 2, para. 2, and art. 10).

Paragraph 638

School textbooks and other teaching materials should present issues in a fair and balanced manner which reflects the aims and objectives of education, as set out in article 13 (1) of the Covenant, General Comment No. 13 and General Comment No. 1.

CEDAW

- China, CEDAW, A/54/38/Rev.1 part I (1999) 26 at para. 301.

The Government should take all appropriate measures to modify and eliminate son preference by, *inter alia*, expanding educational and employment opportunities for women in rural areas. The Government should enforce laws against sex-selective abortion, female infanticide and abandonment of children and remove all legal disabilities for "out-of-plan" and unregistered children.

CAT

- Venezuela, CAT, A/54/44 (1999) 16 at para. 133.

The Act intended to combat violence against women and the family has entered into force, and the Organizational Act for the Protection of Children and Adolescents has been approved and will enter into force next year. Both laws are intended to improve the protection of two particularly vulnerable sectors who frequently fall victim to discrimination, abuse, or cruel, inhuman or degrading treatment.

EQUALITY AND DISCRIMINATION - CHILDREN

CRC

- Mexico, CRC, CRC/C/24 (1994) 12 at paras. 32, 40 and 43.

Paragraph 32

The fact that laws and regulations relevant to the enforcement of the rights of the child are not always compatible with the provisions of the Convention is of concern. It is regrettable that there is no provision in the national legislation relating to the best interests of the child or the prohibition of discrimination against children. Mere reference in the report to the Convention as being the "Supreme Law of the Land," pursuant to article 133 of the Constitution, should not preclude the Government from taking the necessary steps to harmonize fully national legislation with the provisions of the Convention, namely in light of article 4 of the Convention.

Paragraph 40

All necessary steps must be taken, in all areas, to ensure the respect and actual implementation of the provisions contained in national legislation relating to the rights of the child. Furthermore, the State party should take the necessary steps to harmonize fully federal and state legislation with the provisions of the Convention. Principles relating to the best interests of the child and the prohibition of discrimination in relation to children should be incorporated into domestic law, and it should be possible to invoke them before the courts. The relevant mechanisms should also be set up, parallel to those deriving from the National Programme of Action, to monitor the implementation of the Convention at the federal, state and local levels. Coordination between the various levels of the administration as well as cooperation with non-governmental organizations involved in the implementation of the Convention and the monitoring thereof should be strengthened.

Paragraph 43

Urgent measures should be adopted to combat discrimination against children belonging to the most vulnerable groups, in particular children subject to abuse or violence within the family, children living and/or working in the streets and children belonging to indigenous communities, including measures to eliminate and prevent discriminatory attitudes and prejudices such as those based on gender.

- Colombia (preliminary), CRC, CRC/C/24 (1994) 18 at para. 72.

The significant gap between the laws adopted to promote and protect the rights of the child and the practical application of those laws to the actual situation of a great number of children in Colombia is of concern. The lack of sufficient coordination of the various efforts to implement the Convention and the discriminatory and adverse social attitudes, particularly among law-enforcement officials, towards vulnerable groups of children are also matters of concern.

EQUALITY AND DISCRIMINATION - CHILDREN

- Romania, CRC, CRC/C/24 (1994) 21 at paras. 92 and 103.

Paragraph 92

The situation of children of minorities, especially within the context of articles 2, 28, 29 and 30 of the Convention, is of concern. The low school attendance of the Roma (Gypsy) group of children is a serious problem. In more general terms, there is a need for more effective measures to combat prejudices against this minority.

Paragraph 103

The Government should adopt an active non-discrimination policy with respect to children of minorities. This would also, particularly in relation to the Roma (Gypsy) population, require proactive measures to encourage participation and break a vicious circle of widespread prejudices resulting in hostility or neglect. The problem of low school attendance among children from the Roma minority should be urgently addressed.

- Pakistan, CRC, CRC/C/29 (1994) 10 at paras. 41 and 52.

Paragraph 41

The situation of girl children as regards, on the one hand, the effect of legislation in place, measures adopted, and practices and customs which serve to discriminate against girl children, such as early marriage, and, on the other hand, the insufficient attention accorded to their schooling are matters of deep concern.

Paragraph 52

Measures must be taken to make the provisions and principles of the Convention widely known to adults and children alike. To assist in these efforts, it is suggested that political, religious and community leaders be encouraged to take an active role in supporting efforts to eradicate traditional practices or customs, which discriminate against children, particularly the girl child, or are harmful to the health and welfare of children. In addition, training about child rights should be given to relevant professional groups. Law-enforcement personnel, including police officials and judges, should be aware of the provisions of the Convention, especially those relating to the system of the administration of juvenile justice.

- Burkina Faso, CRC, CRC/C/29 (1994) 15 at para. 69.

The persistence of some discriminatory social attitudes towards vulnerable groups of children, including those born out of wedlock and disabled children, is of concern. The lack of adequate recourse and complaints procedures for children, who are, for cultural as well as material reasons, victims of cruel treatment, including domestic violence, are also matters of concern.

EQUALITY AND DISCRIMINATION - CHILDREN

- France, CRC, CRC/C/29 (1994) 17 at para. 97.

The importance of close cooperation between the central government and the local authorities, including on budgetary matters, to minimize disparities which may arise between the regions as to the provision of services, is emphasized. The value of adopting a comprehensive approach to the implementation of the rights of the child, which is both effective and consistent with the provisions and general principles of the Convention, particularly the best interests of the child and non-discrimination, which apply irrespective of budgetary resources, is also emphasized.

- Jordan, CRC, CRC/C/29 (1994) 21 at paras. 118 and 128.

Paragraph 118

The uncertainty in the status of children and the possible ensuing discrimination resulting from the coexistence of different personal status regulations according to the child's religion are of concern.

Paragraph 128

Measures should be taken to prevent and eliminate discriminatory attitudes or prejudice and to ensure effective protection against discrimination, particularly with regard to the girl child and children born out of wedlock, as well as any differentiation resulting from the status of parents.

- Norway, CRC, CRC/C/29 (1994) 27 at paras. 173 and 176.

Paragraph 173

Appropriate ways and means should be used to target further publicity on the Convention, especially about those provisions and principles of the Convention relevant to the situation of particular groups of children, for instance, children in the system of administration of justice and children suffering from AIDS and HIV infection.

Paragraph 176

The State party should reconsider its policy on religious education for children in light of the general principle of non-discrimination and the right to privacy.

- Madagascar, CRC, CRC/C/34 (1994) 20 at para. 98.

The lasting prejudices and traditional beliefs that affect certain groups of children, including disabled children and children born on a certain day of the week (considered to bring bad luck), preventing them from fully enjoying their rights, are of concern.

EQUALITY AND DISCRIMINATION - CHILDREN

- Denmark, CRC, CRC/C/38 (1995) 30 at para. 198.

Measures to teach about children's and human rights could be used as a tool to advocate further the purposes of the European Youth Campaign, and the parallel Nordic campaign, to combat racism, xenophobia, anti-Semitism and intolerance.

- Nicaragua, CRC, CRC/C/43 (1995) 10 at para. 42.

The apparent persistence of discriminatory attitudes directed towards girls, children born out of wedlock, children from poorer income groups and children belonging to minority and indigenous groups remains of concern.

- Sri Lanka, CRC, CRC/C/43 (1995) 26 at para. 145.

The existence of disparities concerning the three different laws (Sri Lankan, Kandyan and Muslim) regulating the minimum age for marriage is worrisome. These legislations establish different minimum ages for marriage between boys and girls and authorize the marriages of girls as young as 12 years of age who have obtained parental consent. Such situations may raise the question of compatibility with the principles of non-discrimination and the best interests of the child.

- Italy, CRC, CRC/C/46 (1995) 7 at para. 41.

Further measures should be taken to prevent a rise in discriminatory attitudes and prejudices towards particularly vulnerable children such as children living in poverty, children from the southern region, Roma children and foreign children. The adoption of a more active stand and coherent policy with respect to the treatment of these children should be considered. The creation of an environment favourable to their fullest possible integration into Italian society should also be considered.

- Ukraine, CRC, CRC/C/46 (1995) 11 at para. 68.

Measures should be taken to prevent a rise in discriminatory attitudes or prejudices towards children belonging to minority groups, children living in rural areas, Roma children and children afflicted with HIV/AIDS.

- Senegal, CRC, CRC/C/46 (1995) 21 at paras. 126 and 138.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 126

The insufficient measures taken to ensure the effective implementation of the principle of non-discrimination are of concern. In this regard, the persistent discriminatory attitudes towards girls, also reflected in their notably lower school attendance and their higher drop-out rate, are of concern. The prevailing *de facto* and *de jure* discrimination towards children born out of wedlock is also regrettable.

Paragraph 138

A study on a comprehensive law reform should be conducted under the auspices of UNICEF. The principles relating to: the best interests of the child; the prohibition of discrimination; and of participation of children in matters affecting them should be reflected in domestic law. Adequate legislative and other measures should also be taken to establish a complaints procedure for children whose fundamental rights have been violated.

- Portugal, CRC, CRC/C/46 (1995) 24 at para. 157.

The principle of non-discrimination is not fully implemented for girls, disabled children, illegal-immigrant children, non-accompanied children and children living in rural areas, especially in the fields of education and health, and this is of concern.

- Yemen, CRC, CRC/C/50 (1996) 9 at para. 31.

Insufficient steps have been taken to bring existing legislation into full conformity with the Convention, including the general principles of the Convention, in particular the principles of non-discrimination (art. 2), the best interests of the child (art. 3), and respect for the views of the child (art. 12).

- Mongolia, CRC, CRC/C/50 (1996) 13 at paras. 60 and 72.

Paragraph 60

Concern is expressed that the State party has not yet taken fully into account in its legislation the general principles of the Convention: article 2 (principle of non-discrimination), article 3 (principle of the best interests of the child), article 6 (right to life, survival and development) and article 12 (respect for the views of the child).

Paragraph 72

EQUALITY AND DISCRIMINATION - CHILDREN

In the framework of its legal reform, the Government should fully take into account the provisions of the Convention on the Rights of the Child, especially its general principles (arts. 2, 3, 6 and 12).

See also:

- Finland, CRC, CRC/C/100 (2000) 8 at para. 48.

- Yugoslavia (Serbia and Montenegro), CRC, CRC/C/50 (1996) 17 at paras. 86 and 107.

Paragraph 86

Concern is raised about the implementation of article 2 of the Convention relating to non-discrimination. The situation of Albanian-speaking children in Kosovo is a matter of grave concern, especially with regard to their health and education, as well as the degree to which this population is protected from abuse by the police. It appears that the rejection by the population of the Government's decision to apply a uniform education system and curriculum has been followed by the summary dismissal of 18,000 teachers and other education professionals and to more than 300,000 school-aged children not attending school. The subsequent development of a parallel system of education has resulted in further detrimental effects, including the closure of schools and the harassment of teachers.

Paragraph 107

A solution should be found to the concerns about the situation of Albanian-speaking children in Kosovo, especially in the light of the principles and provisions of the Convention, including those of its article 3 relating to the best interests of the child. The State-controlled mass media, in the interests of healing and building trust within the country, have a role and a responsibility to contribute to the efforts to foster tolerance and understanding between different groups and the broadcasting of programmes that run counter to this objective should end. The securing and dissemination of broader and more diverse sources of information designed for children, including by broadcasting them through the mass media, would assist in ensuring further implementation of the principles and provisions of the Convention, including those of its article 17.

- Republic of Korea, CRC, CRC/C/50 (1996) 26 at paras. 161, 169 and 171.

Paragraph 161

Concern is expressed that the basic principles of the Convention, in particular the provisions of articles 2, 3 and 12, have not been adequately reflected in legislation, policies and programmes. Insufficient measures have been adopted to create awareness of these basic values of the Convention, with a view to changing the prevailing consideration and treatment of the child simply "as a mini-adult or immature adult" as recognized in the report. The persistent discriminatory attitudes affecting girls

EQUALITY AND DISCRIMINATION - CHILDREN

– including in relation to the minimum age for marriage – disabled children, and children born out of wedlock are of concern.

Paragraph 169

The Government should develop public campaigns with a view to addressing effectively the problem of persisting discriminatory attitudes, in particular towards girls, disabled children and children born out of wedlock, and adopt pro-active measures to improve the status and protection of these groups of children.

Paragraph 171

The Government should pursue its efforts to ensure the full compliance of national legislation with the provisions and principles of the Convention, including non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12). Legislative measures should be adopted with a view to: ensuring an equal minimum age for marriage of girls and boys, in the light of article 2; ensuring the basic rights of all disabled children, in particular the right to education, in the light of article 23; abolishing any discrimination towards children born out of wedlock; and preventing any risk of statelessness for a child born to a Korean mother.

- Finland, CRC, CRC/C/50 (1996) 35 at paras. 222, 224 and 234.

Paragraph 222

It is of concern that the State party has not yet fully taken into account in its legislation and in its policies the general principles of the Convention, in particular non-discrimination (art. 2), the best interests of the child (art. 3), and respect for the views of the child (art. 12).

Paragraph 224

In light of articles 2 and 3 of the Convention, concern is expressed about the increasing negative attitude in society towards foreigners.

Paragraph 234

To reduce the current increase in negative feeling and racism towards foreigners, the State party should take all necessary measures, including information campaigns in schools and in society at large.

See also:

- Nepal, CRC, CRC/C/54 (1996) 25 at para. 160.
- Cyprus, CRC, CRC/C/54 (1996) 38 at para. 244.

- Lebanon, CRC, CRC/C/54 (1996) 7 at para. 54.

EQUALITY AND DISCRIMINATION - CHILDREN

In relation to the growing role of private education and health institutions, a stronger emphasis should be placed on public education and the social welfare system by the Government, with a view to ensuring that all children subject to the jurisdiction of the State party enjoy these fundamental rights, and are not subject to any risk of discrimination.

- China, CRC, CRC/C/54 (1996) 18 at para. 120.

Serious concerns remain as to the effectiveness of measures taken to ensure the registration of all children through the household registry. Deficiencies in the registration system deprive children of basic safeguards for the promotion and protection of their rights, including in the areas of child trafficking, abduction, sale and maltreatment, abuse or neglect. In this connection, the situation of "unregistered girls" as regards their entitlement to health care and education is a matter of concern.

- Nepal, CRC, CRC/C/54 (1996) 25 at para. 161.

The persistent discriminatory attitudes towards girls, as reflected in the prevailing son preference, the persistence of early marriages, the notably lower school attendance of girls and their higher drop-out rate, are of particular concern. The different marriage age of girls and boys, which is not in conformity with article 2 of the Convention, is also a concern. A further concern is the caste system and traditions such as the *deuki*, *kumari* and *devis*. The persistence of such traditional practices and attitudes seriously hampers the enjoyment of the rights of the child.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 220.

The inclusion of children's rights in school curricula should be pursued as a measure to enhance respect for indigenous cultures and multiculturalism and to combat paternalistic and discriminatory attitudes which, as recognized by the State party, continue to prevail in society.

- Cyprus, CRC, CRC/C/54 (1996) 38 at paras. 245 and 261.

Paragraph 245

The apparent persistence of discriminatory attitudes towards children born out of wedlock, with regard to their right to a name and to citizenship, is a concern.

Paragraph 261

EQUALITY AND DISCRIMINATION - CHILDREN

In light of articles 2, 7, and 8 of the Convention, authorities should take all necessary measures to ensure that children born out of wedlock enjoy all their fundamental rights.

- Nigeria, CRC, CRC/C/57 (1996) 12 at para. 68.

The persistence of early marriage, child betrothals, discrimination in inheritance, widowhood practices and other harmful traditional practices, is of concern.

- Uruguay, CRC, CRC/C/57 (1996) 19 at para. 108.

The persisting discrimination against children born out of wedlock, including in regard to the enjoyment of their civil rights, is of concern. The procedure for the determination of their name paves the way for their stigmatization and the impossibility of having access to their origins, and when born to a mother or father who is a minor, these children cannot be recognized by that parent.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), CRC, CRC/C/57 (1996) 23 at para. 148.

Further consideration should be given to evaluating the effectiveness of measures used to raise awareness for the prevention and combating of discrimination and promotion of tolerance, particularly with respect to discrimination on the grounds of gender, ethnic origin, discrimination against disabled children and children born out of wedlock.

- Ethiopia, CRC, CRC/C/62 (1997) 12 at para. 73.

Prevailing traditional attitudes and harmful practices, such as female genital mutilation, early marriages and teenage pregnancies, and the persistence of discriminatory social attitudes against vulnerable groups of children, such as the girl child, disabled children, children born out of wedlock and children affected by or infected with HIV/AIDS, including orphans, remain of concern.

- Myanmar, CRC, CRC/C/62 (1997) 25 at paras. 148 and 168.

Paragraph 148

The fact that the national identity card explicitly mentions the religion and the ethnic origin of each citizen, including children, is of concern. The fact that the Citizenship Act establishes three different categories of citizenship and therefore some categories of children and their parents might be

EQUALITY AND DISCRIMINATION - CHILDREN

stigmatized and/or denied certain rights is also of serious concern.

Paragraph 168

The categorization of citizens, as well as the mention on the national identity card of the religion and the ethnic origin of citizens, including children, should be abolished.

- Ghana, CRC, CRC/C/66 (1997) 15 at paras. 86 and 106.

Paragraph 86

The persistence of discriminatory attitudes against some groups of children, especially girls, children with disabilities, and children living in rural areas, which often results in limited access to basic social facilities such as health and education, remains of concern.

Paragraph 106

All appropriate measures, including public information campaigns, should be undertaken to prevent and combat all forms of discrimination against girls and children with disabilities, especially those living in rural areas, with a view, *inter alia*, to facilitate their access to basic services.

See also:

- Uganda, CRC, CRC/C/69 (1997) 21 at para. 131.
- Togo, CRC, CRC/C/69 (1997) 39 at para. 275.

- Bangladesh, CRC, CRC/C/66 (1997) 22 at para. 138.

The persistence of discriminatory attitudes and harmful practices affecting girls, as illustrated by serious disparities, sometimes starting at birth and affecting the enjoyment of the rights to survival, health, nutrition and education, is of concern.

- Paraguay, CRC, CRC/C/66 (1997) 29 at paras. 187 and 208.

Paragraph 187

The persisting discrimination against minority and indigenous children is of concern.

Paragraph 208

All appropriate measures should be undertaken, including information campaigns, to prevent and combat all prevailing forms of discrimination against girls and minority or indigenous children, especially those living in rural areas, with a view, *inter alia*, to promoting their access to basic

EQUALITY AND DISCRIMINATION - CHILDREN

services.

- Algeria, CRC, CRC/C/66 (1997) 35 at para. 237.

The existence of discriminatory attitudes towards girls and children born out of wedlock among some groups within the population is of concern.

- Australia, CRC, CRC/C/69 (1997) 16 at paras. 104 and 114.

Paragraph 104

The unjustified, disproportionately high percentage of Aboriginal children in the juvenile justice system and the tendency normally to refuse applications for bail for them is of concern.

Paragraph 114

Further steps should be taken to raise the standards of health and education of disadvantaged groups, particularly Aboriginals, Torres Strait Islanders, new immigrants, and children living in rural and remote areas. Measures need to be taken to address the causes of the high rate of incarceration of Aboriginal and Torres Strait Islander children. Research should be continued to identify the reasons behind this disproportionately high rate, including investigation into the possibility that attitudes of law enforcement officers towards these children because of their ethnic origin may be contributing factors.

- Uganda, CRC, CRC/C/69 (1997) 21 at paras. 143, 147 and 149.

Paragraph 143

Prescribed ages in the various national laws should be harmonized so as to eliminate inconsistencies, contradictions and gender disparities.

Paragraph 147

All appropriate measures, including public information campaigns, should be undertaken to prevent and combat all forms of discrimination against girls, orphans, children with disabilities, abandoned children, children born out of wedlock, and children victims of abuse and/or sexual and economic exploitation, especially those living in rural areas, with a view, *inter alia*, to facilitating their access to basic services.

Paragraph 149

Information and prevention programmes should be strengthened to combat HIV/AIDS, particularly to prevent the transmission to children of HIV/AIDS and other sexually transmitted diseases (STDs)

EQUALITY AND DISCRIMINATION - CHILDREN

and to eliminate discriminatory attitudes towards children affected by or infected with HIV/AIDS.

See also:

- Togo, CRC, CRC/C/69 (1997) 39 at para. 286.
- Czech Republic, CRC, CRC/C/69 (1997) 28 at paras. 172 and 194.

Paragraph 172

Concern is expressed that no adequate measures have been taken to prevent and combat all forms of discriminatory practices against children belonging to minorities, including Roma children, and to ensure their full access to health, education and other social services.

Paragraph 194

Early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of disabled children should be implemented, and awareness-raising campaigns should be envisaged to reduce discrimination against disabled children and to encourage their inclusion in society.

- Libyan Arab Jamahiriya, CRC, CRC/C/73 (1998) 9 at paras. 46 and 56.

Paragraph 46

Legislation should explicitly prohibit discrimination on any grounds, including language, national, ethnic or social origin, property, disability and birth status. Domestic legislation should also be reformed to guarantee the right to a nationality to every child.

Paragraph 56

The approach by which disabled children are included in mainstream facilities and their natural environment, while still receiving specialized programmes and facilities as needed, should be enhanced. Attention should be given to the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993).

- Democratic People's Republic of Korea, CRC, CRC/C/79 (1998) 13 at paras. 80 and 97.

Paragraph 80

The *de facto* discriminatory attitudes that may occur against children with disabilities and the insufficient measures taken to ensure that these children have effective access to health, education and social services, and to facilitate their full inclusion in society, are of concern.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 97

Early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should be implemented, and awareness-raising campaigns should be envisaged to reduce discrimination against disabled children and encourage their inclusion in society.

- Fiji, CRC, CRC/C/79 (1998) 18 at paras. 113 and 133.

Paragraph 113

Of particular concern are certain vulnerable groups of children, especially the girl child, children with disabilities, children living in rural areas or in slums, and children born out of wedlock. In this regard, the use of the term "illegitimate children" (ex-nuptial children) in the law is contrary to the principle of non-discrimination.

Paragraph 133

A more active approach to eliminating discrimination against certain groups should be taken, in particular the girl child, children with disabilities, children in institutional care, children living in rural areas, poor children such as those living in slums, and children born out of wedlock (ex-nuptial children).

- Japan, CRC, CRC/C/79 (1998) 25 at paras. 160, 166, 181 and 187.

Paragraph 160

Existing legislation does not protect children from discrimination, especially in relation to birth, language and disability. The legal provisions explicitly permitting discrimination, such as article 900 (4) of the Civil Code which prescribes that the right to inheritance of a child born out of wedlock shall be half that of a child born within a marriage, and mention of birth out of wedlock in official documents are of concern. The provision of the Civil Code stipulating a different minimum age of marriage for girls (16 years) from that of boys (18 years) is also of concern.

Paragraph 166

The insufficient measures taken, notwithstanding the principles laid down in the Fundamental Law for People with Disabilities (1993), to ensure effective access of these children to education and to facilitate their full inclusion in society are of concern.

Paragraph 181

Legislative measures should be introduced to correct existing discrimination against children born out of wedlock. Discriminatory treatment of minority children, including Korean and Ainu children, should be fully investigated and eliminated whenever and wherever it occurs. Furthermore, the same

EQUALITY AND DISCRIMINATION - CHILDREN

minimum age for marriage of boys and girls is recommended.

Paragraph 187

In light of the Standard Rules for the Equalization of Opportunity for Persons with Disabilities (General Assembly resolution 48/96), further efforts should be made to ensure practical implementation of the existing legislation, alternative measures to institutionalization of children with disabilities should be taken, and awareness-raising campaigns to reduce discrimination against children with disabilities and encourage their inclusion in society should be envisaged.

- Maldives, CRC, CRC/C/79 (1998) 31 at paras. 230 and 235.

Paragraph 230

A more proactive approach should be taken to eliminate discrimination against the girl child, children with disabilities, children living on remote islands, and children born out of wedlock. The National Policy on Women should be enacted and implemented, which may have a positive impact on the status of the girl child.

Paragraph 235

In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96), early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should be implemented, awareness-raising campaigns to reduce discrimination against them should be envisaged, special education programmes and centres should be established, and their inclusion in society should be encouraged. Research on the causes of disabilities should be undertaken. Furthermore, technical cooperation for the training of professional staff working with and for children with disabilities is recommended. International cooperation from, *inter alia*, UNICEF and the World Health Organization (WHO) can be sought to this effect.

See also:

- Iraq, CRC, CRC/C/80 (1998) 15 at para. 81.
- Guinea, CRC, CRC/C/84 (1999) 21 at para. 118.

- Luxembourg, CRC, CRC/C/79 (1998) 38 at paras. 250 and 268.

Paragraph 250

Children born out of wedlock may still be suffering from different forms of discrimination and stigmatization, particularly from the use of the terms "legitimate" and "illegitimate" in the Civil Code.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 268

All appropriate measures should be taken to ensure that children born out of wedlock do not suffer discriminatory treatment or stigmatization, and the terms "legitimate" and "illegitimate," which are currently used in the Civil Code, should be eliminated. In view of the multinational dimension of the society, all appropriate measures, including legal ones, should be taken to guarantee all rights to all children.

- Ecuador, CRC, CRC/C/80 (1998) 9 at para. 41.

All available measures should continue to be taken to reduce economic and social disparities, including those between rural and urban areas. Measures to prevent discrimination against the most disadvantaged groups of children, including children belonging to indigenous communities, Afro-Ecuadorean children, girl children, children with disabilities, children born out of wedlock, children in institutional care, and children living and/or working on the streets should be reinforced.

- Iraq, CRC, CRC/C/80 (1998) 15 at para. 76.

Legislation that only allows nationality to be obtained by a child from his/her father, except in cases where the father is unknown or stateless, is of concern. Domestic legislation should be amended to guarantee the acquisition of a nationality.

- Bolivia, CRC, CRC/C/80 (1998) 22 at para. 104.

The growing disparities between rural and urban areas, as well as the growing number of the population living in urban poor and marginalized areas, are of concern. Furthermore, the predominance of discrimination on the basis of ethnic origin, gender, social status and disability is also a major concern. Measures should be increased to reduce economic and social disparities, including between rural and urban areas, and to prevent discrimination against the most disadvantaged groups of children, such as children belonging to indigenous communities, girl children, children with disabilities, children born out of wedlock and children who are living and/or working on the streets.

- Kuwait, CRC, CRC/C/80 (1998) 28 at paras. 135, 136 and 138.

Paragraph 135

Legislation should be reviewed with a view to prohibiting discrimination. Furthermore, all

EQUALITY AND DISCRIMINATION - CHILDREN

appropriate measures should be taken to safeguard the rights of Bedoon children, migrant children, other non-citizens, and girls, especially with regard to access to education, health and other social services. Lastly, all appropriate measures should be taken to guarantee that girls are systematically treated equally, especially with regard to the right to inheritance.

Paragraph 136

All appropriate measures should be taken to ensure that each child living within the jurisdiction is ensured without discrimination the full enjoyment of his or her rights. Ratification of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families should be considered.

Paragraph 138

Existing legislation that allows nationality to be obtained by a child only from his/her father is of concern. Domestic legislation should be amended to guarantee that the acquisition of Kuwaiti nationality is determined in light of the provisions and principles of the Convention, especially articles 2, 3 and 7.

- Austria, CRC, CRC/C/84 (1999) 7 at para. 58.

Social and other discrimination faced by children belonging to the Roma and other minorities, and in particular by those belonging to groups that do not enjoy the constitutional status of "ethnic groups," are of concern. All appropriate measures should be taken to protect and ensure the rights of Roma, Sinti and other minority children, including protection from all types of discrimination.

- Belize, CRC, CRC/C/84 (1999) 12 at para. 75.

The measures adopted to ensure that all children are guaranteed access to education and health services and are protected against all forms of exploitation are insufficient and remain of concern. Of particular concern are certain vulnerable groups of children, including children with disabilities; children belonging to minority and indigenous groups, such as Maya and Garifuna children; children living in remote rural areas; children living in poverty; children living and/or working on the street; refugee and asylum-seeking children; illegal immigrant children; children in the juvenile justice system; children of single-parent families; children born out of wedlock and institutionalized children. Efforts should be increased to ensure implementation of the principle of non-discrimination.

See also:

- Thailand, CRC, CRC/C/80 (1998) 35 at para. 169.
- Mali, CRC, CRC/C/90 (1999) 43 at para. 210.

EQUALITY AND DISCRIMINATION - CHILDREN

- Yemen, CRC, CRC/C/84 (1999) 33 at para. 168.

The occurrence of discrimination affecting girls, children with disabilities, children born out of wedlock, refugee children, Akhdam children and children belonging to nomadic groups is of concern. Measures should continue to be taken to reduce economic, social and geographical disparities, including between rural and urban areas, and to prevent discrimination against the most disadvantaged groups of children.

- Barbados, CRC, CRC/C/87 (1999) 9 at para. 46.

The growing gender bias faced by boys, as shown in, among other areas, academic underachievement by boys and difficulties in placing boys for adoption, is of concern. At the same time, the rate of girls who attempt or commit suicide is particularly high. Efforts should be increased to address discrimination arising from socialization of boys and girls into inappropriate gender roles and the resulting determination of social attitudes concerning children based on gender.

- Honduras, CRC, CRC/C/87 (1999) 26 at paras. 114, 123 and 126.

Paragraph 114

The prevalence of cultural attitudes and traditions which are patriarchal and discriminatory against the girl child is particularly of concern. Measures should be increased to reduce economic and social disparities, including between urban and rural areas, and to prevent discrimination against the most disadvantaged groups of children, such as the girl child, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets and children living in rural areas. Efforts should be strengthened in order to revise prevailing cultural attitudes and traditional practices which constitute a form of gender-based discrimination, contrary to the principle of non-discrimination. Educational campaigns should be undertaken to raise awareness of the need to prevent and combat discrimination on the grounds of gender and ethnic origin. Furthermore, accession to the International Convention on the Elimination of All Forms of Racial Discrimination should be considered.

Paragraph 123

The lack of a governmental policy and programmes for children with disabilities and the lack of governmental monitoring of private institutions for these children are matters of concern. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted on its day of general discussion on "Children with Disabilities," early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should

EQUALITY AND DISCRIMINATION - CHILDREN

be implemented, awareness-raising campaigns to reduce discrimination against them should be envisaged, special education programmes and centres should be established as needed, their inclusion in the educational system and in society should be encouraged, and adequate monitoring of private institutions for children with disabilities should be established.

Paragraph 126

All necessary measures should be taken to protect children belonging to indigenous and ethnic groups against discrimination and to guarantee the enjoyment of their rights.

- Benin, CRC, CRC/C/87 (1999) 35 at para. 146.

Insufficient measures have been adopted to ensure that all children are guaranteed access to education and health services and are protected against all forms of exploitation. Of particular concern are certain vulnerable groups of children, including: children with disabilities, particularly mental disabilities; girls, particularly “*Vidomegons*”; children living in remote rural areas; children living in extreme poverty; children living and/or working on the street; refugee and asylum-seeking children; children in the juvenile justice system; children born out of wedlock; children of incestuous relations; and institutionalized children. Efforts should be increased to ensure implementation of the principle of non-discrimination, particularly as it relates to the vulnerable groups.

- Chad, CRC, CRC/C/87 (1999) 45 at para. 191.

The lack of legislation protecting children with disabilities against discrimination, and the difficulties encountered in addressing the special needs of children with mental disabilities are of concern. Efforts should be increased to give adequate attention to the special needs of children with mental and physical disabilities, and to encourage the inclusion of disabled children in society.

- Nicaragua, CRC, CRC/C/87 (1999) 54 at para. 228.

Economic, social and regional disparities, including between urban and rural areas, should be reduced to prevent discrimination against the most disadvantaged groups of children, such as the girl child, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets and children living in rural areas. Educational campaigns should also be undertaken to raise awareness of discrimination on the grounds of gender and ethnic origin, with a view to its elimination.

See also:

- Mexico, CRC, CRC/C/90 (1999) 34 at para. 177.

EQUALITY AND DISCRIMINATION - CHILDREN

- Venezuela, CRC, CRC/C/90 (1999) 10 at para. 45.

Effective measures should continue to be taken to reduce economic and social disparities. Measures to prevent discrimination against the most disadvantaged groups of children, including girls, children belonging to indigenous and other ethnic groups, children with disabilities, children born out of wedlock, and children living and/or working in the streets, should be reinforced.

- Russian Federation, CRC, CRC/C/90 (1999) 18 at paras. 113, 114, 127 and 128.

Paragraph 113

The practice of preventing parents and their children from having access to medical, educational and other social services in a city for which they do not have a residency permit is particularly harmful to internally displaced children, migrants and asylum-seekers, and children working and living in the street, and is of concern.

Paragraph 114

The practice of discriminating against children without residence permits should be ended through, *inter alia*, training and awareness raising for local government and law-enforcement officials.

Paragraph 127

The living conditions of ethnic minorities, especially in the north, and their access to health, education and other social services, and the growing incidence of societal discrimination against children belonging to ethnic minorities are matters of concern.

Paragraph 128

All the necessary measures should be taken to protect minority children from discrimination and to guarantee their full access to education, health and other social services.

- Armenia, CRC, CRC/C/94 (2000) 53 at paras. 318 and 319.

Paragraph 318

Noting that discrimination is prohibited under the law, the Committee, in line with the Committee on the Elimination of Discrimination against Women (A/52/38/Rev.1), the Human Rights Committee

EQUALITY AND DISCRIMINATION - CHILDREN

(CPR/C/79/Add.100) and the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.39), is concerned that *de facto* discrimination on the grounds of gender persists. Moreover, concern is expressed at the discrepancies in the enjoyment of rights in relation to certain vulnerable groups: children with disabilities, children living in rural areas, refugee children, children from poor families, children living and/or working on the streets, and those living in institutions.

Paragraph 319

Concerted efforts should be made at all levels to address social inequalities through a review and reorientation of policies, including increased budgetary provision for programmes targeting the most vulnerable groups. The State party is encouraged to ensure the effective enforcement of protective laws, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, to sensitize society to the situation and needs of children within the society and particularly within the family, where needed within the framework of international cooperation.

- South Africa, CRC, CRC/C/94 (2000) 81 at para. 431.

It is noted that the principle of non-discrimination (article 2) is reflected in the new Constitution as well as in domestic legislation. That insufficient measures have been adopted to ensure that all children are guaranteed access to education, health and other social services is still a concern. Of particular concern are certain vulnerable groups of children, including Black children; girls; children with disabilities, especially those with learning disabilities; child workers; children living in rural areas; children working and/or living on the streets; children in the juvenile justice system; and refugee children. Efforts should be increased to ensure implementation of the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to the vulnerable groups.

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 100 and 101.

Paragraph 100

It is noted with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, including children living in conflict areas, children living in institutions, children living in the mountainous regions, children with disabilities, children of single parent families, children of poor families, children in conflict with the law, children living and/or working on the streets, refugee children and internally displaced children. Their limited access to adequate health, education and other social services is a concern.

Paragraph 101

Efforts should be increased to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and their full compliance with article 2 of the Convention, particularly as it

EQUALITY AND DISCRIMINATION - CHILDREN

relates to the vulnerable groups.

See also:

- Suriname, CRC, CRC/C/97 (2000) 84 at paras. 473 and 474.

- Jordan, CRC, CRC/C/97 (2000) 31 at paras. 175-178.

Paragraph 175

Concern is expressed about the persistence of discrimination under the law, in particular:

(a) Discrimination against girls and children born out of wedlock is incompatible with article 2. Moreover, concern is expressed that discriminatory social attitudes towards the education of girls, primarily in rural areas, result in their low levels of school enrolment and high drop-out rates, and in early and forced marriages;

(b) Infringement of a child's rights under the Convention as a result of indirect discrimination, or discrimination against his or her mother (e.g. in relation to custody, guardianship and nationality) is incompatible with article 2. Concern is expressed about persistence of stereotypical attitudes about the roles and responsibilities of women and men. In light of the Committee's previous recommendations, the Committee remains concerned that restrictions on the right of a Jordanian woman to pass on her nationality to her child, particularly where she is married to a refugee, may result in the child becoming stateless.

Paragraph 176

In accordance with the concluding observations of the Human Rights Committee, the Committee on the Elimination of Discrimination against Women and with article 2 of the Convention, effective measures should be taken to prevent and eliminate discrimination on the grounds of sex and birth status in all fields of civil, economic, political, social and cultural life. The State party should incorporate equality on the basis of sex in article 6 of the Constitution. All efforts should be made to enact or rescind civil and criminal legislation, where necessary, to prohibit any such discrimination. In this regard, the State party is encouraged to consider the practice of other States that have been successful in reconciling fundamental rights with Islamic texts. All appropriate measures, such as comprehensive public education campaigns, should be taken to prevent and combat negative societal attitudes in this regard, particularly within the family. Religious leaders should be mobilized to support such efforts.

Paragraph 177

Concern is expressed about the disparities in the enjoyment of rights, especially with regard to health and education, experienced by children belonging to vulnerable groups, including those living in rural

EQUALITY AND DISCRIMINATION - CHILDREN

regions of the country and those living in unofficial Palestinian refugee camps.

Paragraph 178

The State party should take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. Social services for children belonging to the most vulnerable groups should be prioritized and targeted. Assistance should be sought from the international community, including United Nations agencies such as UNICEF and United Nations Relief and Works Agency for Palestine Refugees in the Near East.

See also:

- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at para. 42.
- Egypt, CRC, CRC/C/103 (2001) 36 at para. 224.
- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at paras. 397 and 398.

- Norway, CRC, CRC/C/97 (2000) 43 at paras. 229 and 230.

Paragraph 229

The State party's efforts to ensure that children within Norwegian jurisdiction, including those whose presence is not in line with legal requirements, benefit from the rights defined in the Convention are welcomed. Nevertheless, concern is expressed that this principle is not established in all relevant domestic legislation, that the absence of a legal guarantee may deprive some children without Norwegian nationality of their rights, and that some limitations are placed on these children's access to health and education services.

Paragraph 230

The full, including long-term, impact of this situation on the rights of children without Norwegian nationality and without legal status living within Norwegian jurisdiction should be considered. The State party is encouraged to consider amendments to national legislation which would ensure the full applicability of article 2 of the Convention.

- Kyrgyzstan, CRC, CRC/C/97 (2000) 51 at paras. 288 and 289.

Paragraph 288

Concern is expressed about the prevailing disparities in the enjoyment of the rights of children in Kyrgyzstan. In particular, the Committee is concerned with the situation of children living in institutions; in regions of the country which are lagging behind in socio-economic development; and

EQUALITY AND DISCRIMINATION - CHILDREN

children of rural and poor families. The guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by the 1998 social security law which effectively deprives all non-citizens of rights to social security benefits, except for education fee discounts for families with many children and/or of low income; and the practice whereby non-citizens are subject to higher fees demanded by health practitioners.

Paragraph 289

All necessary measures should be taken to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. The State party should prioritize and target social services for children belonging to the most vulnerable groups.

See also:

- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at para. 45.
- Egypt, CRC, CRC/C/103 (2001) 36 at paras. 226 and 227.

- Cambodia, CRC, CRC/C/97 (2000) 64 at paras. 357-362.

Paragraph 357

With regard to article 2 of the Convention, the existing patterns of discrimination on the grounds of gender, ethnic origin, HIV/AIDS status and disability are of concern. In particular, concern is expressed that the State party's Constitution refers only to the rights of Khmer citizens.

Paragraph 358

The enjoyment by all children of all the rights enshrined in the Convention should be ensured without any distinction. The State party should take effective measures to eliminate discrimination against girls, in particular with regard to their access to education. Efforts need to be made to eliminate discrimination against children living and/or working on the streets and children belonging to minority groups, especially of Vietnamese origin. Furthermore, the Committee endorses the recommendations made by the Human Rights Committee in 1999 and by the Committee on the Elimination of Racial Discrimination in 1998 in this regard.

Paragraph 359

With regard to the implementation of article 7 of the Convention, concern is expressed that birth registration is not compulsory and consequently not all children are registered at birth.

Paragraph 360

Domestic legislation should be reviewed in accordance with the principles and provisions of the Convention, with a view to making birth registration compulsory for all children, without any type

EQUALITY AND DISCRIMINATION - CHILDREN

of discrimination. Children of non-Khmer citizens, regardless of their legal status, or refugees, when born in Cambodia, should always be registered at birth even if they are not entitled to Cambodian nationality. Effective measures should be undertaken to enforce the existing sub-decrees related to the Resident Book (No. 73) and the Family Book (No. 74), both of 1997, in particular to ensure that all children who were not registered at birth are registered. The State party should conduct awareness-raising campaigns to encourage the registration of all children at birth.

Paragraph 361

It is of concern that the Law on Nationality (1996) might lead to discrimination against children of non-Khmer origin and might, in violation of article 7 of the Convention, leave as stateless a large number of children born in Cambodia, such as children belonging to minority groups.

Paragraph 362

The Law on Nationality should be reviewed in light of the Convention with a view to eliminating all grounds of possible discrimination and eradicating and preventing children being stateless.

- Malta, CRC, CRC/C/97 (2000) 75 at paras. 420 and 421.

Paragraph 420

Concern is expressed at the use of the terms “illegitimate child” or “natural child”, especially with regard to the succession rights of such children. Concern is also expressed at the alleged reports that expressions with racial connotations have been used by the State party’s officials to refer to children belonging to immigrant families in an irregular situation.

Paragraph 421

The State party should continue reviewing its domestic legislation with a view to eliminating the use of the terms “illegitimate child” and “natural child”. The State party should take effective measures to combat and prevent acts of racial discrimination against children belonging to immigrant families.

- Djibouti, CRC, CRC/C/97 (2000) 96 at paras. 536 and 537.

Paragraph 536

It is noted that the principle of non-discrimination (art. 2) is reflected in the Constitution as well as in domestic legislation. Efforts made to promote education for girls are acknowledged. Insufficient measures have been adopted to ensure that all children are treated equally and are guaranteed equal

EQUALITY AND DISCRIMINATION - CHILDREN

access to education, health and other social services. In this regard, the Committee is extremely concerned about the persistent discriminatory attitudes faced by girls; it is also concerned about the discrimination faced by refugee and asylum-seeking children and about the impact of ethnic discrimination. Concern is also expressed about the fact that discrimination appears to be experienced by children born out of wedlock, children with disabilities, children living and/or working on the streets, and children living in rural areas.

Paragraph 537

Efforts should be increased to ensure the implementation of the principle of non-discrimination and full compliance with article 2 of the Convention and address those cases which continue to affect all vulnerable groups, particularly girls, refugee children and those from different ethnic groups. The State party is urged to give particular attention to addressing discrimination against both girls and women, by reviewing domestic legislation so as to ensure that discriminatory provisions, including those affecting inheritance rights, are removed and that adequate protection from discrimination is provided.

See also:

- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 620 and 621.
- Finland, CRC, CRC/C/100 (2000) 8 at paras. 39 and 40.

Paragraph 39

Concern is expressed that the extent and standard of welfare services provided by local authorities to low-income families or families with children with disabilities is unequal in the various municipalities across the country, partly as a result of significant differences in the financial resources available to the municipal authorities, in the priorities set by those authorities and in the systems used to assess needs and grant assistance. These disparities have the effect of providing either unequal access to or different levels of welfare assistance to children, particularly those with disabilities, depending on where in the country they reside.

Paragraph 40

The State party is urged to consider ways to guarantee all children equal access to the same standard of services, irrespective of where they live, for example by establishing nationwide minimum standards and allocations of resources for the implementation of the Convention's provisions, in particular in the areas of health, education and other social welfare services, and in conformity with article 2.

- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 111, 112, 162 and 163.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 111

Deep concern is expressed at the gross violations of the right to be protected from discrimination and at the impact of discrimination upon children. It is noted that discrimination takes different forms including by ethnic origin, gender, geographical origin (within the country) and social status. The Committee notes that killings and other acts committed in the armed conflict, and which have affected children, have frequently been perpetrated on the basis of ethnic origin. Other forms of discrimination lead to concerns with regard to, *inter alia*, access to resources, inheritance of property, the right to a nationality and the access of girls to education. The State party does not appear to have taken fully into account either the provisions of article 2 or the Convention's other principles in its legislation and administrative and judicial practice as well as in programmes on behalf of children.

Paragraph 112

The State party is urged to make every effort to end all discriminatory practices, to ensure equal respect for the rights of all children in the State party and to reinforce and ensure the implementation of existing laws related to non-discrimination. It is recommended that the State party commission and publish an independent study on the different types and causes of discrimination which affect children in the State party, with the aim of contributing to public discussion and the identification of solutions. The State party is urged to restate its commitment to protect children from discrimination and to work with national and international partners to end discrimination. The State party is further urged to use promotion of and training on child rights as a means of ending discrimination and to prosecute persons who violate non-discrimination provisions of the law.

Paragraph 162

Deep concern is expressed about the poor situation of Batwa children and the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to a culture and to be protected from discrimination.

Paragraph 163

The State party should urgently gather information on the Batwa people, strengthen the representation of Batwa in national policy-making and elaborate a plan of action to protect the rights of Batwa children, including those rights related to minority populations and indigenous peoples.

- United Kingdom of Great Britain and Northern Ireland (Isle of Man), CRC, CRC/C/100 (2000) 31 at paras. 186 and 187.

Paragraph 186

The Isle of Man does not appear to have fully taken into account article 2 (the general principle

EQUALITY AND DISCRIMINATION - CHILDREN

non-discrimination) of the Convention in its legislation, in its administrative and judicial decisions, or in its policies and programmes relevant to children. In this context, insufficient efforts have been made to provide against discrimination based on sexual orientation. While the intention is to reduce the legal age for consent to homosexual relations from 21 to 18 years, it remains of concern that a disparity continues to exist between the ages for consent to heterosexual (16 years) and homosexual relations.

Paragraph 187

All appropriate measures should be taken, including of a legislative nature, to prevent discrimination based on the grounds of sexual orientation and to fully comply with article 2 of the Convention.

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at paras. 237 and 238.

Paragraph 237

The large number of single parent families in the Overseas Territories, especially in Bermuda and the Territories in the Caribbean, is noted with concern. Concern is expressed at the apparent lack of legal protection with respect to the rights, including maintenance and inheritance rights, of children born out of wedlock from “visiting” or “common law” relationships in these Territories. The financial and psychological impact of visiting relationships on children is also of concern.

Paragraph 238

All appropriate measures, including of a legal nature, should be taken to ensure that the rights of children born out of wedlock are protected. The State party should undertake a study on the situation of single parent families and visiting relationships in the Caribbean Territories and the impact (both financial and psychological) on children.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 425 and 426.

Paragraph 425

Concern is expressed that there is extensive discrimination against girls with regard, in particular, to access to education and inheritance rights. There is also discrimination against children with disabilities and against minority populations, including Pygmies.

Paragraph 426

Action should be taken to end discrimination including, in particular, discrimination against girls, discriminatory customary practices and discrimination against children with disabilities and children from minority groups. The State party should address discrimination through improved implementation of national legislation prohibiting discrimination and through the sensitization of the

EQUALITY AND DISCRIMINATION - CHILDREN

population.

- Marshall Islands, CRC, CRC/C/100 (2000) 89 at paras. 511 and 512.

Paragraph 511

The principle of non-discrimination (art. 2) is not fully implemented for children living in the outer islands and in poor urban communities, especially with regard to their access to adequate health and educational facilities.

Paragraph 512

The State party should collect disaggregated data to enable effective monitoring of potential discrimination, in particular against girls, children living in poor urban communities and in the outer islands and those with disabilities.

- Slovakia, CRC, CRC/C/100 (2000) 100 at paras. 562-565, 578, 579, 586 and 587.

Paragraph 562

Children belonging to the Roma minority experience *de facto* discrimination *vis-à-vis* several provisions of the Convention, particularly the right to the highest attainable health (art. 24), the right to an adequate standard of living (art. 27) and the right to education (art. 28).

Paragraph 563

All necessary measures should be taken to ensure that all children within the jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. The Committee endorses the recommendations made by the Committee on the Elimination of Racial Discrimination in its concluding observations (CERD/C/57/CRP.3/Add.4), and its general recommendation XXVII on discrimination against Roma, and recommends that the State party implement them.

Paragraph 564

The right of the child to be protected from discrimination by all appropriate measures is not implemented in conformity with article 2 of the Convention, affirmative actions have not been taken for the benefit of certain vulnerable groups of children, especially Roma. Roma children need more help and support in order to enjoy the right to development on an equitable basis with other children.

Paragraph 565

The implementation of article 2 of the Convention should be reviewed in this respect. The State party should monitor and react to cases of discrimination against children in all sectors of society in a more effective manner.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 578

While acknowledging the measures taken to improve the health status of children, in particular initiatives related to the reduction of infant mortality, concerns remain about the persistence of regional disparities, particularly in relation to children belonging to the most vulnerable groups (e.g. Roma), in access to health care and the high rates of malnutrition of children under 5 and those in school.

Paragraph 579

The State party should continue to undertake measures to ensure that all children, without discrimination, have adequate access to health-care services.

Paragraph 586

It is noted that government social policies, in spite of their comprehensiveness, have resulted in the socio-economic exclusion of certain groups of children such as the Roma and children living in the streets and in institutions.

Paragraph 587

The State party should include NGOs, especially family and children's NGOs, and civil society in general, through dialogue, in the development of social policies in order to better understand the reasons for exclusion and to stimulate new ideas to raise the standard of living of vulnerable groups of children.

- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 634 and 635.

Paragraph 634

The situation of children with disabilities who are marginalized and discriminated against is of concern. There is a lack of legal protection, programmes, facilities and services for children with disabilities aimed at facilitating their development and full integration in society.

Paragraph 635

The Committee recommends that the State party establish special education programmes for children with disabilities and actively seek their inclusion in society. The State party should conduct an assessment of the number of children with disabilities, the type of disabilities and the needs of children with disabilities with regard to rehabilitative and other forms of care.

- Latvia, CRC, CRC/C/103 (2001) 9 at paras. 48-51.

Paragraph 48

It is noted with concern that the principles of non-discrimination (art. 2 of the Convention), best

EQUALITY AND DISCRIMINATION - CHILDREN

interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

Paragraph 49

The general principles of the Convention, in particular the provisions of its articles 2, 3 and 12, should be appropriately integrated in all relevant legislation concerning children and applied in all political, judicial and administrative decisions and in projects, programmes and services which have an impact on all children, including non-citizen children. These should guide the determination of policy-making at every level and actions taken by social and health welfare institutions, courts of law and administrative authorities.

Paragraph 50

It is of concern that the principle of non-discrimination is not fully implemented for non-citizen children, children belonging to minorities, including Roma children, poor or dysfunctional families, children with disabilities and children living in rural areas, especially with regard to their access to adequate health and educational facilities. The requirement to record ethnic origin in passports is noted with concern.

Paragraph 51

Disaggregated data should be collected to enable monitoring of discrimination against all children, in particular those belonging to the above-mentioned vulnerable groups, with a view to developing measures to put an end to any form of discrimination. The Committee further reiterates the recommendation of the Committee on the Elimination of Racial Discrimination to reconsider the requirement to record ethnic origin in passports (A/54/18, para. 407).

See also:

- Togo, CRC, CRC/C/69 (1997) 39 at para. 253.
 - Lithuania, CRC, CRC/C/103 (2001) 47 at paras. 270-273.
 - Palau, CRC, CRC/C/103 (2001) 79 at paras. 448 and 449.
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- Liechtenstein, CRC, CRC/C/103 (2001) 19 at paras. 102 and 103.

Paragraph 102

Instances of *de facto* gender discrimination are matters of concern. Concern is also expressed at incidents of racial hatred that can have a negative effect on the development of children.

Paragraph 103

EQUALITY AND DISCRIMINATION - CHILDREN

In light of article 2 and other related articles of the Convention, the State party should strengthen its administrative measures to eliminate *de facto* discrimination against girls. The State party should renew its campaign, held in 1995, against racism, xenophobia and related intolerance with the view, *inter alia*, to preventing prejudices and hostilities towards foreigners among children and adolescents.

- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 146 and 147.

Paragraph 146

It is of concern that children and their families who are members of ethnic groups which are in a minority in a particular region, or which are not in control of the region's administration, face discrimination. Girls and children with disabilities face extensive discrimination, *inter alia*, in terms of their access to education. Furthermore, concern is expressed that societal discrimination against women and against adults with disabilities limits the opportunities for girls and for children with disabilities to achieve full respect for their rights.

Paragraph 147

The State party should make appropriate additional efforts to strengthen the implementation of the non-discrimination provisions of the Constitution, giving particular attention to the situation of children from ethnic groups which are a minority within a particular province, to girls, to children with disabilities and to discrimination against women.

- Egypt, CRC, CRC/C/103 (2001) 36 at paras. 225, 228 and 229.

Paragraph 225

In accordance with article 2 of the Convention, effective measures should be taken, including enacting or rescinding civil and criminal legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life. In this regard, the State party is encouraged to consider the practice of other States that have been successful in reconciling fundamental rights with Islamic texts. In concurrence with the findings of the Committee on Economic, Cultural and Social Rights (E/C.12/1/Add.4), it is recommended that the State party remove all provisions of the Nationality Law which discriminate against women, and also against children. All appropriate measures, such as comprehensive public education campaigns should be taken to prevent and combat negative societal attitudes in this regard, particularly within the family. Members of the legal profession, especially the judiciary, should be trained to be gender-sensitive. Religious leaders should be mobilized to support such efforts.

Paragraph 228

The general principle of the best interests of the child contained in article 3 of the Convention is not sufficiently taken into consideration, including in matters relating to family law (e.g. custody upon

EQUALITY AND DISCRIMINATION - CHILDREN

separation in article 20 of Law No. 25/1929 as amended, is determined by the child's age rather than the child's best interests and is discriminatory).

Paragraph 229

Legislation and administrative measures should be reviewed to ensure that article 3 of the Convention is duly reflected therein and taken into consideration.

See also:

- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at paras. 399 and 400.

- Lithuania, CRC, CRC/C/103 (2001) 47 at paras. 292 and 293.

Paragraph 292

It is of concern that a large number of families, in particular those with three or more children and single women with children, live under the subsistence level. This problem is predominant in rural areas.

Paragraph 293

In light of articles 3, 4, 6, 26 and 27 of the Convention, the State party should take all appropriate measures, such as the adoption and enforcement of the Programme of Assistance to Families Raising Children, to the maximum extent of its available resources and in particular at the local level, to support families in a difficult economic and/or social situation in order to ensure to the maximum extent possible the survival and development of all children living in Lithuania, without discrimination.

- Lesotho, CRC, CRC/C/103 (2001) 57 at paras. 335-338 and 359.

Paragraph 335

It is noted that the principle of non-discrimination (art. 2) is reflected in the Constitution of Lesotho as well as in other domestic legislation. Nonetheless, concerns remain that serious discrimination exists in the State party. This has a negative impact on respect for children's rights and particularly on the rights of girls. It is of concern that married women have the legal status of minors and this situation can, in certain circumstances, negatively affect respect for the rights of their children. The State party has not taken measures to address discrimination against children who are born out of wedlock, those affected by HIV/AIDS, children in remote rural areas, children born of incestuous relationships, institutionalized children, pregnant girls, children with disabilities, street children and children of ethnic minority groups. Concern is expressed that many children do not have adequate or equal access to education and health services, in particular children in the vulnerable groups mentioned above. Finally, Concern is expressed about the difficulties and humiliation faced by

EQUALITY AND DISCRIMINATION - CHILDREN

mothers of children born out of wedlock in obtaining travel documents for their children.

Paragraph 336

The State party is urged to strengthen its efforts to ensure full implementation of the principle of non-discrimination by amending domestic legislation and increasing awareness among the population. Particular attention should be given to ending discrimination against girls and women -in so far as this affects respect for the rights of children - in legislation, customary law and in practice. Discrimination against vulnerable groups of children should be addressed effectively by improving their access to education and health services, and it should be ensured that children born out of wedlock can obtain travel documents as easily and quickly as all other children.

Paragraph 337

Some traditional practices and attitudes can limit implementation of the right of children, especially girls, to express their views and to participate in decision-making processes. It is noted with concern that the evidence of children is not given appropriate weight in courts of law. Concern is also expressed that the principle of the best interests of the child is not respected and that this situation is worsened by the limited implementation of children's right to be heard.

Paragraph 338

Effective measures should be taken to encourage respect for the views of the child, particularly girls, in schools, families, and the care and judicial systems (including the magistrature). The participatory rights of children should be promoted.

Paragraph 359

It is noted that a survey will be conducted to collect disaggregated data and other information on children with disabilities, which will be used as a basis for policy development. Concerns remain about the absence of legal protection and the lack of adequate programmes, facilities and services for children with physical and mental disabilities, and in particular the failure to integrate children with disabilities into mainstream schooling. The absence of a national strategy to ensure respect for the rights of children with disabilities is a concern.

- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at paras. 383 and 384.

Paragraph 383

It is noted with concern that several rights contained in the Convention are not reflected in domestic law. In particular, the Basic Law and other applicable laws do not expressly guarantee non-discrimination on the basis of all the grounds contained in article 2 of the Convention. The incompatibility of certain areas of domestic law with the Convention are noted (e.g. discrimination against females and non-Muslims and the use of judicial punishments such as flogging). Many laws relevant to children's rights (i.e. personal status laws, the criminal code, and the criminal and civil

EQUALITY AND DISCRIMINATION - CHILDREN

procedure codes) remain uncodified.

Paragraph 384

The State party should conduct a comprehensive review of the Basic Law and domestic laws, including administrative regulations and legal procedural rules, to ensure that they conform to international human rights standards, including the Convention, that they are sufficiently clear and precise, are published, and are accessible to the public.

- Palau, CRC, CRC/C/103 (2001) 79 at paras. 450 and 451.

Paragraph 450

It is noted with concern that the principle of non-discrimination is not adequately implemented, in particular with respect to vulnerable groups of children, especially children of non-Palauan parentage, including children of immigrant families and children adopted through inter-country adoptions; children living in the outer islands; and children living and/or working on the streets. Particular concern is expressed about their limited access to adequate health, education and other social services. The disparity in the legal minimum age for marriage of girls (16 years) and boys (18 years) is also a concern.

Paragraph 451

The State party should increase its efforts to ensure the implementation of laws, policies and programmes guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to the vulnerable groups. In particular, all appropriate measures, including those of a legal nature, should be taken to ensure that non-Palauan children are afforded equal and adequate access to health, education and social services and that the legal minimum age of marriage for girls is increased to that of boys (18 years).

- Dominican Republic, CRC, CRC/C/103 (2001) 91 at paras. 503, 504, 522 and 523.

Paragraph 503

Deep concern is expressed at the discrimination against children of Haitian origin born in the State party's territory or belonging to Haitian migrant families, especially their limited access to housing, education and health services. Furthermore, concern is expressed at the existing patterns of economic and social disparities, and at gender and racial discrimination.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 504

In the light of article 2 and other related articles of the Convention, the State party should take, as a matter of priority, effective measures to ensure that children of Haitian origin born in the State party's territory or belonging to Haitian migrant families have the same access to housing, education and health services as other children. It is recommended that the State party strengthen and increase measures to reduce economic and social disparities and prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children living in and/or working on the streets, and children living in rural areas.

Paragraph 522

The State party's efforts in the field of education are welcomed, particularly the inclusion of human rights teaching, including children's rights, in the school curricula. However, concerns remain about the high drop-out and repetition rates in primary and secondary schools, disparities between urban and rural areas in terms of access to education and to quality education, the insufficient number of well-trained teaching staff and children's limited access to materials and text books. Concern is also expressed at various forms of discrimination and exclusion which still affect the right to education of certain groups of children, such as pregnant adolescents, unregistered children, children with disabilities and children of Haitian origin born in the State party's territory or belonging to Haitian migrant families, reflecting insufficient attention to article 29 of the Convention.

Paragraph 523

In the light of article 28 and other related articles of the Convention, the State party should continue its efforts in the field of education by strengthening its policies and system in order to: improve on-going retention programmes and vocational training for drop-out students; improve school infrastructure; continue with curricular reform, including teaching methodologies; eradicate regional disparities with reference to school enrolment and attendance; and implement special education programmes taking into account the needs of vulnerable children. The explicit inclusion of the aims of education as mentioned in article 29 of the Convention in the school curricula is recommended.

- Denmark, CRC, CRC/C/108 (2001) 10 at paras. 58 and 59.

Paragraph 58

De facto discrimination against and xenophobia directed at certain groups of children, especially children belonging to ethnic minorities, refugee and asylum-seeking children, children belonging to migrant families, children with disabilities and those belonging to socially and economically disadvantaged families, continues to be of concern, including within the education system.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 59

In light of article 2 and other related articles of the Convention, the State party should strengthen its measures, including through the Board for Ethnic Equality by, *inter alia*, organizing ongoing awareness raising campaigns to change attitudes and to eliminate *de facto* discrimination against and xenophobia directed at minority groups, especially children belonging to migrant families, refugee children, children with disabilities, and children belonging to socially and economically disadvantaged families.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 91, 92, 107-110 and 138.

Paragraph 91

The reservations to articles 17, 29 and 30 of the Convention are noted with concern. It is also noted that, in some cases, in particular in the fields of education and freedom of expression and the right to enjoy one's own culture and use one's own language, these reservations may have a negative impact on children belonging to ethnic groups which are not recognized as minorities under the Treaty of Lausanne of 1923, in particular children of Kurdish origin.

Paragraph 92

The State party is encouraged to consider withdrawing its reservations to articles 17, 29 and 30 of the Convention.

Paragraph 107

It is of concern that the principles of non-discrimination (art. 2), best interests of the child (art. 3) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, or in policies and practices relevant to children at both the national and local levels.

Paragraph 108

The general principles of the Convention, in particular the provisions of articles 2, 3, and 12, should be appropriately integrated into all relevant legislation concerning children and applied in all political, judicial and administrative decision, as well as in projects, programmes and services which have an impact on children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.

Paragraph 109

It is of concern that the principle of non-discrimination (art. 2) is not fully implemented for children belonging to minorities not recognized under the Treaty of Lausanne of 1923, in particular children of Kurdish origin; children with disabilities; children born out of wedlock; girls; refugee and asylum-seeking children; children who are internally displaced; and children living in the south-eastern region and in rural areas, especially with regard to their access to adequate health and educational facilities.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 110

Appropriate measures should be taken to prevent and combat discrimination. The collection of appropriate disaggregated data is also recommended in order to enable monitoring of discrimination against all children, in particular those belonging to the above-mentioned vulnerable groups, with a view to developing comprehensive strategies aimed at ending all forms of discrimination.

Paragraph 138

The State party is encouraged to consider withdrawing the geographical limitation on the 1951 Convention relating to the Status of Refugees and its 1967 Optional Protocol in order that non-European child refugees to be granted refugee status. It is further recommended that measures be strengthened in order to allow all child asylum-seekers and refugee children full access to education.

See also:

- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 251 and 252.
- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 50 and 51.

- Democratic Republic of the Congo, CRC, CRC/C/108 (2001) 31 at paras. 171, 172, 199 and 200.

Paragraph 171

Deep concern is expressed at the practices of discrimination which continue to affect profoundly many children in the State party, including ethnic and gender discrimination. It is of concern that legislation does not explicitly prohibit discrimination against children on all grounds covered by the Convention in its article 2 and omits, for example, discrimination against children with disabilities.

Paragraph 172

It is strongly recommended that the State party urgently identify and address the different causes of discrimination and end all practices of discrimination which affect respect for the Convention. Domestic legislation prohibiting discrimination should be amended to include all the grounds prohibited under the Convention, including discrimination based on disabilities, and a review of legislation should be conducted so as to amend any provisions which are discriminatory and which have an impact on children. Efforts to end gender discrimination, notably against girls and women, should be continued and strengthened. Education and human rights promotion should be used to address discriminatory attitudes among the population in general and in changing discriminatory social practices, including through the promotion of the Convention's provisions and the right of women to non-discrimination. Finally, it is recommended that the State party seek assistance from UNICEF and OHCHR.

Paragraph 199

EQUALITY AND DISCRIMINATION - CHILDREN

Noting the very small number of children with disabilities who have access to education, deep concern is expressed that the rights of children with disabilities to education, as well as health services are not respected and that they do not receive adequate assistance towards future development. Further concern is expressed at the interpretation of disabilities on the basis of certain traditional opinions and at the fact that children with disabilities suffer from discrimination as a result of such beliefs.

Paragraph 200

Measures should be developed and implemented in order to guarantee respect for the rights of children with disabilities, including improving their access to health and education services and vocational training. In addition, the State party should make every effort to ensure that children with disabilities are not discriminated against, including through the provision of appropriate education for parents, teachers, children and members of the population in general.

- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 253, 254 and 265-268.

Paragraph 253

It is of concern that the principle of non-discrimination (art. 2) is not fully implemented for children belonging to indigenous groups; urban and rural poor children, girls, children with disabilities, and displaced children, especially with regard to their access to adequate health and educational facilities.

Paragraph 254

All necessary measures should be taken to end discrimination. In this respect, the State party is encouraged to monitor discrimination against children, in particular those belonging to indigenous groups, urban and rural poor children, girls, children with disabilities, and displaced children, and to develop, on the basis of the results of such monitoring, comprehensive strategies for implementing specific and well-targeted actions aimed at ending all forms of discrimination.

Paragraph 265

While taking note of the Act on the Provision of Services for Persons with Disabilities of 1996 and the establishment of a National Network for Support to Disabled Persons, which has also established departmental links in the interior of the country, there is nevertheless concern that discrimination against children with disabilities still occurs and that parents are often unaware of their children's rights.

Paragraph 266

Measures should be undertaken to ensure that the situation of children with disabilities is monitored in order to effectively assess their situation and needs, and to conduct public awareness campaigns in all languages, particularly indigenous ones, to raise awareness of the situation and rights of children with disabilities.

EQUALITY AND DISCRIMINATION - CHILDREN

Paragraph 267

There is concern that the health standard of the children living in Guatemala is inadequate, especially children living in the rural areas and in poor urban areas. In particular, the high infant mortality rates due to nutritional deficiencies, lack of sanitation facilities and limited access to preventive and curative health services, with wide differences between urban and rural areas and between the different ethnic groups, are noted; the high maternal mortality rates, due largely to a high incidence of illegal abortion, are also noted.

Paragraph 268

It is recommended that the State party allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, particularly by focusing more on primary-level care and decentralizing the health care system.

See also:

- Chile, CRC, CRC/C/114 (2002) 90 at paras. 363, 364, 367 and 368.
- Belarus, CRC, CRC/C/15/Add.180 (2002) at paras. 28 and 29.
- Spain, CRC, CRC/C/15/Add. 185 (2002) at paras. 27 and 28.

- Côte d'Ivoire, CRC, CRC/C/108 (2001) 59 at paras. 309 and 310.

Paragraph 309

While noting that discrimination is prohibited under the Constitution, the persistence of discrimination in the country is of concern. Of particular concern is the occurrence of discrimination against non-citizen children, children with disabilities, children born out of wedlock, children from ethnic minorities, Muslim children, and girls; particularly the low participation rate of girls in education. Moreover, there is concern about the discrepancies in the enjoyment of rights by certain vulnerable groups: children living in rural areas, refugee children, children from poor families, and children living and/or working on the streets.

Paragraph 310

In light of article 2 of the Convention, concerted efforts should be made at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups. The State party should also ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

See also:

EQUALITY AND DISCRIMINATION - CHILDREN

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 52 and 53.
- United Republic of Tanzania, CRC, CRC/C/108 (2001) 71 at paras. 362, 363, 374, 375, 378 and 379.

Paragraph 362

The commitment expressed by the State party to incorporate the general principles of the Convention into all domestic legislation relevant to children is encouraging. A review of domestic law was undertaken by the Law Reform Commission to determine any inconsistencies with the Convention and efforts have been made to introduce some of the recommendations of the Commission. However, it remains of concern that domestic, applied Islamic and customary law still do not fully comply with the provisions and principles of the Convention.

Paragraph 363

The State party should reinforce its efforts to ensure that domestic law, including Islamic and customary law, fully conforms with the provisions and principles of the Convention on the Rights of the Child. The State party should consider adopting a comprehensive children's code which would include the principles of the Convention, with a view to enhancing a rights based approach. In this regard, technical assistance should be sought from, among others, OHCHR and UNICEF.

Paragraph 374

The various legal minimum ages, which are inconsistent, are discriminatory and/or too low.

Paragraph 375

The necessary legislative measures should be taken to establish a clear minimum age for marriage which should be the same for boys and girls.

Paragraph 378

The principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, especially girls (including their inheritance rights), children born out of wedlock (including their maintenance and inheritance rights), young mothers (particularly those belonging to Islamic communities and those living in Zanzibar, including their right to inherit and own property), children with disabilities, children of economically disadvantaged families; children in conflict with the law, children living in institutions, children living and/or working on the streets; child victims of abuse, refugee and asylum seeking children, children belonging to ethnic minorities, children living in rural areas, and those belonging to pastoralist communities. Their limited access to adequate health, education and other social services is of particular concern.

Paragraph 379

EQUALITY AND DISCRIMINATION - CHILDREN

All effective measures should be taken to implement laws, policies and programmes to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children.

- Bhutan, CRC, CRC/C/108 (2001) 85 at paras. 450-453, 458 and 459.

Paragraph 450

The disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups are of concern (e.g. children living in remote areas, belonging to other ethnic groups, with disabilities, from economically disadvantaged households, etc.).

Paragraph 451

The State party should make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2 and prioritize and target social services for children belonging to the most vulnerable groups.

Paragraph 452

Concern is expressed about the impact on children of reports of discrimination against individuals belonging to the Lhotshampas. Of particular concern are reports that these children face *de facto* discrimination in access to education and other services and on the basis of status, activities or opinions of their parents or relatives.

Paragraph 453

Effective measures, including enacting or rescinding legislation where necessary, should be taken to prevent and eliminate discrimination, in accordance with article 2 of the Convention, in all fields of civil, economic, political, social and cultural life. Accessible, prompt and effective mechanisms should be established to monitor, receive and address complaints of discrimination (e.g. prompt appeal in circumstances of denial of school enrolment). The State party should also take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes towards different ethnic groups.

Paragraph 458

It is of concern that under citizenship laws a child of a Bhutanese mother and a non-national father must face a burdensome naturalization process, whereas this is not required if the father is Bhutanese.

Paragraph 459

The right of a child to a nationality should be ensured without discrimination on the basis of the gender of the parent(s), in accordance with articles 2 and 7 of the Convention.

See also:

EQUALITY AND DISCRIMINATION - CHILDREN

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 181 and 182.
 - Qatar, CRC, CRC/C/111 (2001) 59 at paras. 304 and 305.
 - Gabon, CRC, CRC/C/114 (2002) 47 at paras. 200 and 201.
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- Monaco, CRC, CRC/C/108 (2001) 97 at paras. 507, 508, 521 and 522.

Paragraph 507

Discrimination against women in the passing on of parents' nationality persists and this is of concern. There is also concern that children born out of wedlock continue to face discrimination with regard to inheritance rights. While noting the State party's efforts in this regard, concern is expressed over information indicating that children of all nationalities are not treated equally.

Paragraph 508

The State party should pursue its efforts to adopt legislation that establishes an equal right for men and women to pass on Monegasque nationality to their children and to ensure that children born out of wedlock benefit from the same rights as children born within marriage. In light of article 12, the State party should continue its efforts to ensure that all children, regardless of their nationality, are treated equally.

Paragraph 521

It is of concern that while Monegasque children have a right to free health care, domestic legislation and practice do not expressly guarantee the same right to all children in the State party, in particular children from disadvantaged backgrounds and who are neither nationals nor residents of the State party.

Paragraph 522

The State party should ensure that all children within its jurisdiction are treated equally under the law and in particular, that a right to health care be provided to all children.