

## **EQUALITY AND DISCRIMINATION - CHILDREN**

### **IV. CONCLUDING OBSERVATIONS, CONTINUED**

#### **CERD**

- Croatia, CERD, A/57/18 (2002) 24 at para. 97.

97. The Committee expresses concern at the continued practice of segregation of Roma children within the educational system and at the reports of discrimination against the Roma regarding access to employment, health, political representation and citizenship rights. The Committee recommends that the State party pay particular attention to the situation of the Roma and take effective measures to prevent the segregation of Roma children within the educational system. The Committee further recommends that the State party strengthen its efforts to address the high drop-out and poor performance rates of Roma children and guarantee non-discrimination, especially as regards respect for their cultural identity, language and values. The Committee also encourages the State party to reinforce its efforts to train and recruit Roma teachers and to prevent discrimination against the Roma in access to employment, health, political representation and citizenship rights.

- Denmark, CERD, A/57/18 (2002) 27 at para. 117.

117. The Committee is concerned that policies and practices such as the housing dispersal policy, the quota system for the admission of minority children to certain crèches and nurseries, and the reported prohibition of the use of the mother tongue in some of these establishments may, though aimed at facilitating integration, lead to indirect discrimination against minorities and refugees...

- Canada, CERD, A/57/18 (2002) 56 at para. 332.

332. The Committee is concerned that some aspects of the Indian Act may not be in conformity with rights protected under Article 5 of the Convention, in particular the right to marry and to choose one's spouse, the right to own property and the right to inherit, with a specific impact on Aboriginal women and children. The Committee recommends that the State party examine those aspects, in consultation with Aboriginal peoples...

- Fiji, CERD, A/58/18 (2003) 25 at para. 95.

95. While welcoming the assurance given by the State that schools are not racially separated in Fiji, the Committee wishes to receive more information on the consequences and the practical implementation of the Education (Establishment and Registration of Schools)

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Regulation, which states that “while a registered or recognized school may, when selecting pupils for admission give preference to pupils of a particular race or creed, no admission shall be denied solely on grounds of race or religion”. The Committee also wishes to know whether the State party enhances and financially supports multiracial schools...

- Poland, CERD, A/58/18 (2003) 35 at para. 163.

163. The Committee notes efforts to meet the specific educational needs of Roma children, but is concerned that in some cases these efforts have led to segregated classes having a lower standard of education than the Polish counterparts. The Committee recommends that new programmes integrate Roma children into mainstream schools as far as possible, in order to avoid discrimination, and that the State party recruit more teachers and teaching assistants from the Roma minority...

- Albania, CERD, A/58/18 (2003) 53 at para. 312.

312. The Committee is concerned about information that members of the Roma minority, especially the young, are generally regarded with suspicion and subjected to ill-treatment and the improper use of force by police officers.

The Committee recommends that the State party take measures to halt such practices and to increase law enforcement officials’ sensitivity to and training in matters involving racial discrimination.

- Malawi, CERD, A/58/18 (2003) 93 at para. 558.

558. The Committee is concerned that the registration of births is not compulsory, except for children of non-African origin.

The Committee underlines the existing link between the registration of births and the ability of children to enjoy civil, political, economic, social and cultural rights, as enumerated under article 5 of the Convention. It recommends that the State party review the Births and Deaths Registration Act in order to make birth registration compulsory for all children without any discrimination.

- Madagascar, CERD, A/59/18 (2004) 58 at para. 318.

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318. The Committee notes that the rules on nationality discriminate against children born to a mother of Malagasy nationality and a father of foreign nationality.

The Committee recommends to the State party that it revise its nationality law and guarantee such children Malagasy nationality on the same footing as children born to a father of Malagasy nationality and a mother of foreign nationality.

- Mauritania, CERD, A/59/18 (2004) 61 at para. 345.

345. The Committee notes with concern that the Nationality Code does not appear to comply fully with article 5 (d) (iii) of the Convention, in particular since it lays down rules on access to nationality that differ depending on whether the children are born to a Mauritanian father or a Mauritanian mother, or whether they are born to a foreign father or a mother born in Mauritania.

The Committee recommends that the State party guarantee respect for the principle of non-discrimination in children's access to nationality.

- Slovakia, CERD, A/59/18 (2004) 70 at para. 385.

385. While the Committee welcomes the extensive measures adopted by the State party in the field of education aimed at improving the situation of Roma children, including the "Roma assistants" project, it continues to express concern at *de facto* segregation of Roma children in special schools, including special remedial classes for mentally disabled children.

The Committee recommends that the State party prevent and avoid the segregation of Roma children, while keeping open the possibility of bilingual or mother-tongue education. The Committee further recommends that the State party intensify its efforts to raise the level of achievement in school by Roma children, recruit additional school personnel from among members of Roma communities and promote intercultural education.

### ICCPR

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), ICCPR, A/57/40 vol. I (2002) 36 at para. 75(30).

(30) The Committee is concerned that, while "seek[ing] to remove any avoidable discrimination against, or stigma attaching to, children born outside of marriage", the Family Law Reform Ordinance does not abolish the status of illegitimacy. The Committee also

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considers that the absence of any right of compensation, in the circumstances of article 14, paragraph 6, of the Covenant, violates that provision.

The State party should amend these aspects of its law to bring them into line with its obligations under article 24, taken together with article 26, and under article 14 of the Covenant.

- Sweden, ICCPR, A/57/40 vol. I (2002) 57 at para. 79(9).

(9) The Committee expresses its concern at the recognition of early marriage involving girls of non-Swedish nationality who are resident in Sweden (articles 3 and 26 of the Covenant).

The State party should take vigorous measures to provide better protection for minors in the matter of marriage and eliminate all forms of discrimination among them.

- Togo, ICCPR, A/58/40 vol. I (2002) 36 at para.78(6).

(6) The Committee notes with concern that the process of bringing domestic laws, many of which predate the 1992 Constitution, into line with the provisions of the Constitution and international human rights instruments is at a standstill. Proposals drawn up with the help of the Office of the High Commissioner for Human Rights during the 1990s have not been followed up. The Committee is also concerned at the fact that many proposed reforms dealing in particular with the rights of children and women, some of them announced several years ago, have still not been enacted.

The State party should revise its legislation so as to bring it into line with the provisions of the Covenant.

- Luxembourg, ICCPR, A/58/40 vol. I (2003) 45 at para. 80(9).

(9) The Committee notes that the Civil Code still draws a distinction between “legitimate” children and children born out of wedlock, whereas by law, they are entitled to the same rights (article 26 of the Covenant).

The State party should remove this obsolete distinction from the Civil Code.

- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at para. 82(18).

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(18) The Committee notes the introduction of programmes such as pre-school grades at elementary schools, the inclusion of Romani language education and the inclusion of teacher's assistant positions for Roma pupils. However, the Committee is concerned about the grossly disproportionate number of Roma children assigned to special schools designed for mentally disabled children, which causes a discriminatory effect in contravention of article 26 of the Covenant.

The State party should take immediate and decisive steps to eradicate the segregation of Roma children in its educational system by ensuring that any differentiation within education is aimed at securing attendance in non-segregated schools and classes. Where needed, the State party should also provide special training to Roma children to secure, through positive measures, their access to education without segregation.

- Germany, ICCPR, A/59/40 vol. I (2004) 39 at para. 68(4).

(4) The Committee appreciates the measures taken to improve the protection of children, in particular legislation granting children a right to education in a non-violent environment, the removal of remaining differences in the legal status of children born in and out of wedlock, and the introduction of elements of *jus soli* for children born in Germany to foreign parents.

- Namibia, ICCPR, A/59/40 vol. I (2004) 64 at para. 74(19).

(19) The Committee takes note of the draft Child Status Bill, aimed at enabling children born out of wedlock to have the same rights as those born within marriage. The Committee notes with concern, however, that children do not get the type of special protection that they require in the area of the administration of justice, in particular in the criminal justice system.

The State party should take measures to establish an appropriate juvenile criminal justice system in order to ensure that juveniles are treated in a manner commensurate with their age.

- Morocco, ICCPR, A/60/40 vol. I (2004) 35 at para. 84(32).

(32) The Committee notes that a child born of a Moroccan mother and a foreign father (or a father of unknown nationality) is treated differently from the children of a Moroccan father with regard to obtaining Moroccan nationality.

The State party should comply with the provisions of article 24 of the Covenant and should

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ensure equal treatment for the children of a Moroccan mother and a Moroccan or foreign father (Covenant, arts. 24 and 26).

- Iceland, ICCPR, A/60/40 vol. I (2005) 50 at para. 87(4).

(4) The Committee welcomes the adoption of Act No. 62/1998 amending the Icelandic Citizenship Act, which abolished important elements of the previous legislation with respect to discrimination against children born out of wedlock.

### **ICESCR**

- Jamaica, ICESCR, E/2002/22 (2001) 130 at paras. 930, 931 and 943.

930. A pervading "culture of violence" in the State party has created a climate that is not conducive to the enjoyment of economic, social and cultural rights by members of Jamaican society, particularly women and children.

931. The Committee expresses its concern that section 24, paragraph 3, of chapter III of the Constitution does not include "sex" among the legally prohibited grounds for discrimination. The Committee is also concerned about the existence of laws which are discriminatory on the basis of sex (mostly against women but at times against men), such as section 6, paragraph 1, of the 1947 Pensions Act providing for payments to married males, the 1942 Women (Employment of) Act prohibiting night work by women except in specified circumstances, and the 1958 Children (Adoption of) Act allowing for adoption of female children by males only under specially justified circumstances.

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943. The Committee recommends that the State party take steps to amend section 24, paragraph 3, of chapter III of the Constitution to include constitutional prohibition of discrimination on the grounds of sex. The Committee further recommends that the State party consider amending the Acts mentioned above (para. 931) and other legal measures that are discriminatory to men as well as women.

- Czech Republic, ICESCR, E/2003/22 (2002) 25 at paras. 90 and 111.

90. The Committee is deeply concerned about the over-representation of Roma children in so-called "special schools" which are primarily designed for mentally retarded children, resulting in discrimination, substandard education and the stigma of mental disability.

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111. The Committee urges the State party to take immediate and effective measures to

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eliminate discrimination against Roma children by removing them from "special schools" and integrating them into the mainstream of the educational system.

- Luxembourg, ICESCR, E/2004/22 (2003) 24 at paras. 84 and 98.

84. The Committee remains concerned about the terminological distinction between "legitimate" and "natural" children in the Civil Code. While the distinction does not imply a difference in protection of rights, the Committee expresses its concern about the terminology's pejorative connotations.

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98. The Committee recommends that the reference to "legitimate" and "natural" children in the Civil Code be replaced by "children born in wedlock" and "children born out of wedlock", respectively.

- Democratic People's Republic of Korea, ICESCR, E/2004/22 (2003) 71 at paras. 529, 530, 534, 550, 551 and 555.

529. The Committee notes with concern that existing social and educational policies in the State party for orphans keep them in segregated environments, which can lead to situations of social exclusion.

530. The Committee is concerned about the consequences of the widespread famine suffered by the country from the mid-1990s and that certain groups, in particular women, children and older persons, have been more severely affected than others and have not received proper assistance in order to alleviate their plight.

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534. The Committee remains concerned that children with disabilities, whenever possible, are not included in the regular school system.

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550. The Committee urges the State party to strengthen its efforts to provide alternative family care for orphans and to include them in the regular school system.

551. The Committee recommends that the State party establish appropriate mechanisms to guarantee equal access for the more vulnerable groups to international food aid and give priority to these groups in food programmes.

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555. The Committee recommends that the State party change the present system concerning the education of children with disabilities by allowing these children to be educated in the regular school system. Moreover, the State party should take measures to raise awareness among students, teachers and families of the special needs of these children and train

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teachers to assist them effectively in regular classes.

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 195 and 215.

195. The Committee is...concerned about the insufficient information on children born out of wedlock, submitted by the State party, and remains unclear about their legal status.

...

215. The Committee urges the State party to ensure that all children, including children born out of wedlock, are granted the same rights...

- Malta, ICESCR, E/2005/22 (2004) 45 at paras. 349 and 367.

349. The Committee notes with concern the distinction made between “legitimate” and “illegitimate” children in the Civil Code of the State party and the fact that children born out of wedlock do not have the same rights as children born in wedlock.

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367. The Committee urges the State party to expedite the planned revision of the Civil Code so as to abolish the terminology “legitimate” and “illegitimate” children and ensure equality in the enjoyment of rights of children born both in and out of wedlock.

- Italy, ICESCR, E/2005/22 (2004) 54 at paras. 430 and 451.

430. The Committee is concerned at the continued existence of a large informal economy in the State party which, *inter alia*, infringes upon the enjoyment of the economic, social and cultural rights of those employed therein, including children.

...

451. The Committee recommends that the State party increase its efforts to effectively regularize the informal labour sector.

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 498 and 524.

498. The Committee is concerned that pursuant to article 19 of the Law on the Legal Status of Foreigners and Persons Without Citizenship, the State party does not provide free compulsory education to non-Azerbaijani children. The Committee also expresses concern that the education standards in the State party have experienced a fall over the last decade owing to a number of factors, including lack of State investment in education.

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524. The Committee calls upon the State party to take effective measures to ensure that all



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children under its jurisdiction have access to free compulsory education as a right, as stipulated in the Covenant, and to significantly increase the public expenditure on education. In this regard the Committee further encourages the State party to consider amending the Law on the Legal Status of Foreigners and Persons without Citizenship...

### CEDAW

- Brazil, CEDAW, A/58/38 part II (2003) 93 at para. 93.

93. The Committee commends the State party for a number of legal reforms introduced since the ratification of the Convention in 1984, including the law on paternity suits involving children born out of wedlock...

- Morocco, CEDAW, A/58/38 part II (2003) 101 at paras. 156, 162 and 163.

156. ...The Committee commends the State party for the draft bill on the nationality law which would give Moroccan women the right to pass on their nationality to their children on the same basis as men.

...

162. The Committee is concerned about the many remaining discriminatory provisions in the Personal Status Code, which sets different standards for women and men in issues related to marriage and family life...The law provides for a different age for guardianship of girls and boys and stipulates restrictions on women in becoming legal guardians of their children. A bill is still pending adoption by Parliament concerning a Moroccan woman's right to pass on her nationality to her children when she is married to a foreigner...

163. The Committee urges the State party to continue, and to expedite, the process of legislative reform within the framework of the Royal Commission on the Personal Status Code and to amend discriminatory provisions affecting women's rights within the family in relation to divorce and repudiation, legal guardianship and the age for guardianship in order to bring them into harmony with the Convention...The Committee urges the State party to expedite the adoption of the proposed bill on nationality and to withdraw its reservation concerning article 9, paragraph 2, of the Convention...

- France, CEDAW, A/58/38 part II (2003) 116 at para. 249.

249. The Committee commends the State party for adopting Act No. 2002-305 concerning parental authority, which sets out to apply a concept of co-parenting based on the three

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principles of equality between parents, equality between children, and the child's right to her or his two parents.

- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at paras. 41 and 42.

41. The Committee is concerned about existing discriminatory legal provisions, particularly that which establishes a minimum marriage age for females at 17 and for males at 18, and about article 7 of the citizenship law on the determination of the citizenship of a child under the age of 14...

42. The Committee urges the State party to initiate without delay a comprehensive review of all legislation, with the aim of identifying provisions that discriminate against women, and a process of law reform to bring its laws into conformity with the provisions of the Convention.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at para. 184.

184. The Committee expresses satisfaction with the adoption, in June 2005, of the Children's Act, aimed at promoting equality between boys and girls.

- Guyana, CEDAW, A/60/38 part II (2005) 136 at paras. 289 and 290.

289. The Committee is concerned about the persistence of discriminatory legal provisions, particularly the Criminal Law (Offences) Act provision which makes it a criminal act for a girl of 16 years to have sexual intercourse with a relative such as a grandfather or brother and making her liable to imprisonment for up to seven years...

290. The Committee urges the State party to undertake comprehensive legal reform in accordance with its obligations under the Convention and, in particular, to eliminate discriminatory provisions without delay in the Criminal Law (Offences) Act and civil law so as to ensure full compliance with articles 2 and 16 of the Convention. The Committee requests the State party to provide the necessary support to the Women and Gender Equality Commission so that it may place high priority on reviewing existing and future legislation for compliance with the provisions of the Convention and submitting recommendations for compliance with international instruments to which the State is a party.

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- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 91, 92, 105 and 106.

91. The Committee notes that the State party has undertaken a review of the Constitution and of the legislation. In 1994, the Kenya Law Review Commission recommended improvements to give effect to the provisions of the Convention. The Committee further notes that the State party subsequently drafted the Children Bill, the Domestic Violence (family protection) Bill, the Industrial Properties Bill, the Refugee Bill, the Criminal Law Amendment Bill and the Bill on People with Disabilities. The Committee is concerned, however, that these bills are still undergoing review and must be discussed by Parliament before being enacted. The Committee expresses concern about the insufficient information on the status of the different systems of family law and their compatibility with the Convention on the Rights of the Child.

92. The Committee recommends that the State party reinforce its efforts to ensure that domestic law, including constitutional provisions, fully conforms with the provisions and principles of the Convention on the Rights of the Child, and eliminate any incompatibility in the different systems of family law. The Committee encourages the State party to expedite the enactment of the pending legislation that has a direct impact on the rights of children and to ensure that any new legislation includes the principles of the Convention, as well as a rights based approach. It also encourages the State party to implement that legislation in the most effective way and to make available the necessary human and financial resources. In this regard, the Committee recommends that the State party seek technical assistance from, *inter alia*, OHCHR and UNICEF.

...

105. The Committee notes that the State party established a task force in 1993 to undertake a review of the law to ensure non-discrimination against women and initiate statutory reforms with regard to gender discrimination. The Committee is concerned, however, that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, especially girls, children born out of wedlock, children with disabilities, children of economically disadvantaged families, children in conflict with the law, children living in institutions, street children, child victims of abuse, refugee and asylum-seeking children, children belonging to ethnic minorities, and those living in rural areas. Finally, the Committee is concerned that the constitutional guarantee of equal treatment does not cover various tribal, traditional customs and practices associated with, for example, fostering, marriage and divorce that constitute a major challenge for the full realization of children rights in the State party.

106. The Committee recommends that the State party take effective measures 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 and traditional tribal customs, practices and rituals.

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- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 223, 224, 258 and 259.

223. The Committee notes the numerous efforts initiated by the State party to address discrimination, including the development of mechanisms, the conduct of surveys and the implementation of policies. The Committee is concerned, however, with regard to *de facto* discrimination in the context of children and families living in poverty in less developed rural and urban areas and against the Roma and their children in particular.

224. The Committee recommends that the State party continue and strengthen its efforts to ensure equal respect for the right to non-discrimination of all children, giving particular attention to children and their families living in poverty, in particular Roma children and children living in less developed areas.

...

258. Noting the State party's policies targeting the specific needs of children of some minorities, the Committee remains concerned at the difficult social situation of Roma children and their insufficient access to the education system.

259. The Committee strongly urges the State party to:

(a) To take measures to improve and implement more effectively existing legislation and policies with regard to ensuring protection of the rights of all children of minority groups, giving particular attention to the situation of Roma children;

(b) Continue to ensure the participation of minorities, including children, in implementing these policies.

- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 275, 276 and 293-296.

275. The Committee notes the draft Children's Bill; however, it is concerned that several rights contained in the Convention (such as non-discrimination, article 2) are not adequately reflected in domestic law.

276. The Committee recommends that the State party:

(a) Conduct a comprehensive review of its domestic laws, including administrative regulations and legal procedural rules, to ensure that they conform to international human rights standards, including the Convention;

(b) Ensure the speedy promulgation of legislation relating to child rights and its effective implementation; and

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(c) Ensure that laws are sufficiently clear and precise, are published, and are accessible to the public.

...

293. Noting the significant achievements in the improvement in the status of women in Qatar, the Committee is nevertheless concerned that discrimination, contrary to article 2 of the Convention, persists in the State party. In particular, the Committee is concerned about discrimination against females and children born out of wedlock under existing personal status law (e.g. in inheritance, custody and guardianship).

294. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding 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;

(b) Undertake all possible measures to reconcile fundamental human rights with Islamic texts;

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family; and

(d) Train members of the legal profession, especially the judiciary, to be gender-sensitive. Religious leaders should be mobilized to support such efforts.

295. The Committee is concerned at the disparities in the enjoyment of economic and social rights, particularly the rights to health and education, experienced by children living in rural areas and non-national children.

296. The Committee recommends that the State party:

(a) 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;

(b) Continue to prioritize and target resources and social services for children belonging to the most vulnerable groups;...

...

### ***See also:***

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 172-175.

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- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 348, 349, 361, 362, 394 and 395.

348. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and that of girls (15 years), which is gender discriminatory and allows for the practice of early marriage, which is still widespread...

349. The Committee recommends that the State party:

(a) Raise the minimum age for marriage to 18 for both boys and girls; and develop sensitization programmes involving community leaders and society at large, including children themselves, to curb the practice of early marriage;

...

361. While domestic legislation includes provisions for the payment of a maintenance allowance in the case of divorce or judicial separation, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law, and at the lack of legal provisions regarding maintenance for children born out of wedlock.

362. The Committee recommends that the State party:

...

(c) Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers.

...

394. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination...

395. The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.

- Gambia, CRC, CRC/C/111 (2001) 89 at paras. 409 and 410.

409. While noting that chapter IV of the new Constitution (1997) is entirely devoted to fundamental human rights and freedoms, with a special section on children (sect. 29), the Committee is concerned that domestic legislation, including customary law and the sharia, does not fully reflect the principles and provisions of the Convention. The Committee is also concerned that the legislation relevant to children's rights is fragmented in different laws. The Committee expresses concern at the continued existence of customs and traditions which prevent children from fully enjoying their rights.

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410. The Committee recommends that the State party take effective measures, including a thorough review of all existing legislation, to ensure that domestic law, including customary and Islamic laws, fully conforms to the provisions and principles of the Convention on the Rights of the Child. In that respect, the Committee also encourages the State party to expedite the enactment of a comprehensive children's code. The Committee strongly recommends that the State party rapidly implement the Human Rights Promotion and Protection Programme which includes plans to harmonize domestic laws with the Convention. The Committee recommends that the State party seek technical assistance from, among others, OHCHR and UNICEF.

- Paraguay, CRC, CRC/C/111 (2001) 103 at paras. 496, 497, 506 and 507.

496. The Committee is concerned that the principle of non-discrimination is not fully implemented for children belonging to indigenous groups or those groups speaking only Guaraní, urban and rural poor children, girls, street children, children with disabilities, and children living in rural areas, especially with regard to their access to adequate health and educational facilities. It further notes with concern that pregnant girls are often not allowed to continue their education, especially in private schools.

497. The Committee recommends that the State party:

- (a) Take all the necessary measures to end discrimination;
- (b) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination;
- (c) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at ending all forms of discrimination...

...

506. While noting the decrease in the infant and child mortality rates, the Committee is nevertheless concerned at the lack of reliable statistics and at the still high rates of mortality, morbidity and malnutrition affecting especially indigenous children and those who speak only Guaraní...

507. In light of article 24 of the Convention and in line with its previous recommendation (CRC/C/15/Add. 75, para. 45), the Committee recommends that the State party:

- (a) Allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on primary health care and decentralizing the health-care system;

...

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(c) Develop a comprehensive nutritional programme in order to prevent and combat malnutrition, in particular among indigenous children and those who speak only Guaraní;  
...

- Uzbekistan, CRC, CRC/C/111 (2001) 117 at paras. 549, 550, 558 and 559.

549. The Committee is concerned at the prevailing disparities in the enjoyment of rights of children in Uzbekistan. In particular, the Committee is concerned:

At the situation of children belonging to the most vulnerable groups (for example, refugee, asylum-seeking and internally displaced children, children belonging to minorities, disabled children and those living in institutions, and in regions of the country lagging behind in socio-economic development);

That the guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by social security laws which effectively deprive non-citizens of rights to social security benefits and impose fees which may inhibit access to health and education services.

550. The Committee recommends that the State party:

(a) Ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

...

558. The Committee emphasizes that the human rights of children cannot be realized independently from the human rights of their parents, or in isolation from society at large. The Committee notes the 1998 Law on Freedom of Conscience and Religious Organizations, and recent amendments to the Civil and Criminal Codes relating to the freedom of religion. In the light of article 14 of the Convention, the Committee is concerned that restrictions on the freedom to manifest one's religion, particularly Islam, do not comply with the requirements outlined in article 14, paragraph 3.

559. The Committee recommends that the State party take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.



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- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 623, 624, 644, 645, 648 and 649.

623. The Committee is concerned that the Constitution does not include provisions prohibiting discrimination against children with disabilities and that discrimination against women, which may have an impact on their children, remains commonplace in practice.

624. The Committee recommends that the State party:

(a) Ensure that the Constitution and other relevant legislation prohibit discrimination on all grounds covered by the Convention's article 2 including, in particular, discrimination on the basis of disability;

(b) Strengthen its efforts to end discrimination against women through, *inter alia*, the use of information campaigns and programmes promoting the advancement of women.

...

644. The Committee is concerned that the rights of children with disabilities are not fully respected and that available specialized assistance, including economic assistance, is insufficient...

645. The Committee recommends that the State party:

(a) Make urgent efforts to improve respect for the rights of children with disabilities, including the rights to non-discrimination, family life, an adequate standard of living, health care, education and leisure;

(b) Continue to provide and encourage access to the regular education system for children with disabilities who are able to participate in this system;

...

(f) Develop and implement information campaigns targeting, among others, parents, teachers, care givers and children, on the rights of children with disabilities, including the right to equal treatment;

...

648. ...While noting gender equality in admissions to primary education, the Committee is concerned that some adolescents are excluded from the system of compulsory education...

649. Noting efforts to increase enrolment levels, particularly to primary school, the Committee recommends that the State party:

...

(c) Improve access to pre-school education for all children, giving particular attention to children from disadvantaged backgrounds;

...

(e) Ensure full access for all children to compulsory education;

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...

- Lebanon, CRC, CRC/C/114 (2002) 11 at paras. 52, 53 and 81-84.

52. The Committee welcomes the information on regional policies to eliminate social disparities and promote equal opportunities. However, it is concerned that the principle of non-discrimination (article 2 of the Convention) is not fully implemented for girls, refugee and asylum-seeking children, Palestinian children, children with disabilities, and children living in less advantaged regions and rural areas, especially with regard to their access to health and adequate educational facilities.

53. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Make concerted efforts 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;

(b) Ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination; and

(c) In line with the previous recommendation regarding gender discrimination ([CRC/C/15/Add.54], para. 28), ensure respect for the rights of girls, especially in relation to the prevention of early marriage.

...

81. The Committee is concerned at the absence of legislative or administrative provisions to protect refugee children. Issues of concern include the fact that only men may confer citizenship upon their children, instances of separation of children from their asylum-seeking parents during detention, as well as difficulties regarding full access to education.

82. The Committee reiterates its previous recommendation ([CRC/C/15/Add.54], para. 41) that the State party accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It further encourages the State party to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Furthermore, it encourages the State party to ensure that refugee children are provided with proper documentation, refrain from separating refugee children from their parents, facilitate family reunification and ensure the right to education for all refugee children.

83. The Committee is concerned about the high rate of Palestinian children living below the

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poverty line, as well as the lack of adequate access by Palestinian children to many basic rights, including health, education and an adequate standard of living, and about the quality of services provided.

84. The Committee reiterates its recommendation ([CRC/C/15/Add.54], para. 40) that the State party, in cooperation with United Nations Relief and Works Agency for Palestine Refugees in the Near East, seek ways of addressing the socio-economic problems among Palestinian children that affect children negatively, including teaching about the Convention in the school and include children in development programmes.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 125, 126, 136, 137, 150, 151, 172 and 173.

125. While noting the State party's legislation against xenophobia and hate speech, the Committee remains deeply concerned:

(a) At the discrimination, including some societal discrimination and instances of xenophobia, against, among others, children from distinct ethnic, religious, linguistic or cultural groups within the State party;

(b) At the fact that domestic legislation does not include a prohibition of discrimination on the ground of disability.

126. The Committee recommends that the State party:

(a) Urgently strengthen its efforts to end all forms of discrimination affecting children, as provided in article 2 of the Convention, including through the strengthening of the implementation of anti-discrimination laws and the possibilities for children and their parents who have been victims of discrimination to seek recourse through the judicial system;

(b) Amend domestic legislation so as to ensure a prohibition of discrimination on the ground of disability;

(c) Implement measures to ensure equal access to services such as education and health, welfare and other social services for all children without distinction, including children from distinct ethnic, religious, linguistic or cultural groups;

(d) Introduce public awareness and sensitivity campaigns on tolerance and respect for the other.

...

136. The Committee expresses its concern at reports of administrative and social pressures

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being placed on children from religious minorities including, for example, the requirement that a student's secondary school graduation certificate indicate, where this is the case, that the student does not practise the Greek Orthodox religion.

137. The Committee recommends that the State party ensure that a child's religious affiliation, or lack of one, in no way hinders respect for the child's rights, including the right to non-discrimination and to privacy, for example in the context of information included in the school graduation certificate.

...

150. Taking into consideration the efforts that have been made in the past 10 years and the recent involvement of children with disabilities and their families in policy making, especially in relation to the Ministry of Education's special education department, and the progress made in modifying access to streets, buses, trains and some buildings for persons with disabilities, the Committee remains concerned that:

...

(b) Children with disabilities face discrimination, as indicated by the State party in its report;

...

151. Noting the State party's efforts in this regard, and in the 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 at its day of general discussion on the rights of children with disabilities (CRC/C/69, para. 338), the Committee recommends that the State party:

(a) Continue to implement programmes to improve respect for the rights of children with disabilities and ensure that children are consulted in decisions that affect them, in accordance with their age and abilities;

...

(g) Continue efforts to establish adequate secondary schools for children with special needs, while also continuing to place emphasis on integrating children with disabilities into the ordinary education system where this would be in the best interests of the child, and ensure that all children with disabilities have access to secondary school education;

...

172. The Committee is particularly concerned at the level of respect for the rights of Roma children.

173. The Committee strongly recommends that the State party continue and strengthen its efforts to develop and implement policies and programmes towards improved respect for the rights of Roma children, including through cooperation with representatives of the Roma themselves and through empowerment of Roma communities.

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- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 274, 275, 297, 298, 301 and 302.

274. While noting that the State party's Constitution prohibits discrimination, the Committee is concerned that:

(a) Girls are particularly vulnerable to gender discrimination and that some aspects of customary law, particularly in the context of property rights, reinforce such discrimination;

(b) Aspects of domestic legislation, including the Law on the Family and Inheritance, are discriminatory against women and, in this context, may negatively affect respect for the rights of children, especially girls;

(c) Discrimination against children with disabilities is prevalent, as indicated in the State party's report, and girls with disabilities may suffer multiple forms of discrimination.

275. The Committee recommends that the State party:

(a) Continue its efforts to ensure the compatibility of all domestic legislation and of customary law practices with article 2 of the Convention, giving particular attention to gender discrimination;

(b) Make every effort to implement the 1999 Land Law in such a way as to address some aspects of discrimination against women;

(c) Make every effort to address all forms of discrimination against children with disabilities and ensure that such discrimination is prohibited under the law;

(d) Undertake public education campaigns directed towards ending all forms of discrimination, as provided for in the Convention;

(e) Seek assistance from, *inter alia*, UNICEF, particularly with regard to the education of girls, and the involvement of communities in eliminating gender inequalities.

...

297. While noting the State party's 1999 national policy on disabled persons, the Committee remains concerned that:

...

(b) Societal discrimination against children with disabilities remains serious, with girls with disabilities suffering the additional burden of gender discrimination, and that, in some cases, parents do not allow their disabled children to leave their home;

...

298. The Committee recommends that the State party:

...

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(b) Make every effort to assure the full integration of children with disabilities into everyday life as enjoyed by other children, including family life, education, leisure and professional training;

...

(d) Take action to address societal discrimination against children with disabilities, noting also links with gender discrimination, including through children's rights information programmes targeting parents, teachers, social workers, communities in general and children;

...

(f) Implement measures to improve the access of children with disabilities to public buildings, including through legislative and administrative measures;

(g) Ensure respect for the right of children with disabilities to receive a formal education;

...

301. While noting the State party's efforts in this domain, including the establishment of the National AIDS Council (NAC) in 2000 and the adoption of a comprehensive multisectoral strategic plan to combat HIV/AIDS, the Committee remains deeply concerned at:

(a) The very serious impact of HIV/AIDS on the cultural, economic, political, social and civil rights and freedoms of children infected with or affected by HIV/AIDS, including the Convention's general principles and with particular reference to their rights to non-discrimination, health care, education, food and housing, as well as to information and freedom of expression;

...

302. The Committee recommends that the State party:

(a) Integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies on behalf of children infected with and affected by HIV/AIDS, as well as their families, including by making use of the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37), with particular reference to children's rights to non-discrimination, health, education, food and housing, as well as their rights to information and freedom of expression;

...

### ***See also:***

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 70 and 71.
- Ukraine, CRC, CRC/C/121 (2002) at paras. 351 and 352.
  
- Chile, CRC, CRC/C/114 (2002) 90 at paras. 369 and 370.

369. The Committee, while noting the increase in the school attendance rate, expresses its

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concern at the difficult access to education, high drop-out and repetition rates which affect in particular indigenous children, poor children and the ones living in rural areas; the low enrolment rate for pre-school education; the low rate of children reaching secondary education and the treatment of children with behavioural problems. It further notes with concern the important number of pregnant children who are excluded from school and that government measures to avoid this situation are not implemented, especially in private schools.

370. In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:

(a) Ensure regular attendance at school and the reduction of drop-out rates, especially with regard to indigenous children;

...

(c) Ensure that measures are effectively implemented in order for pregnant girls to continue attending school both during and after their pregnancy;

...

- Malawi, CRC, CRC/C/114 (2002) 104 at paras. 410 and 411.

410. The Committee is concerned that domestic legislation does not provide for compulsory registration of all births but only for children whose parents are of non-African origin, which explains the very low rate of registration. The Committee is further concerned at the practice of derogatory names being assigned to some children such as children born out of wedlock.

411. In light of articles 7 and 8 of the Convention, the Committee recommends that the State party:

(a) Make birth registration compulsory for all children and carry out awareness campaigns among government officers, midwives, community and religious leaders, and parents themselves, to ensure that all children are duly registered at birth;

(b) Make the birth registration procedure accessible and free or at a low cost; and

(c) Abolish the practice of derogatory names assigned to some children.

- Bahrain, CRC, CRC/C/114 (2002) 122 at paras. 455-457 and 474-479.

455. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that in the State party narrow interpretations of Islamic texts in areas relating to

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personal status law may impede the enjoyment of some human rights protected under the Convention.

456. The Committee is concerned that in the case of Muslims the Shariah Court system - which applies Shariah personal law (marriage, divorce, custody and guardianship, inheritance, maintenance) and criminal law - lacks many basic and minimum international safeguards and procedures, including those contained in the Convention, without which the right to a fair trial or adequate access to the courts can be guaranteed in practice. In particular, the Committee is concerned that:

(a) Shariah remains uncodified and is applied in its classical sense without reference to State legislation; and

(b) Because it is uncodified the system may be subject to arbitrariness, inconsistencies, and lack of uniformity between judgements between different cadis, or judges, between Shi'a and Sunni departments and disparities with decisions of the secular courts.

457. The Committee recommends that the State party:

(a) Conduct a comprehensive review of its domestic laws, administrative regulations and procedural rules, including Shariah, to ensure that they conform to international human rights standards, including the Convention;

(b) Ensure that laws are sufficiently clear and precise, are published, and are accessible to the public.

...

474. The Committee welcomes the steps being taken to revise legislation to ensure that it is in line with the 2001 National Action Charter, and to draft amendments to the Constitution. However, it remains concerned that the grounds of non-discrimination contained in article 18 of the 1973 Constitution and chapter 1, section 2, of the National Action Charter do not reflect the grounds of non-discrimination contained in article 2 of the Convention.

475. The Committee encourages the State party to use this occasion to review article 18 of the Constitution, as well as chapter 1, section 2, of the National Action Charter, concerning non-discrimination, and ensure that these provisions fully reflect all the grounds of non-discrimination contained in article 2 of the Convention.

476. Noting the significant achievements in the status of women in Bahrain, the Committee is nevertheless concerned that discrimination, contrary to article 2 of the Convention, persists in the State party. In particular, the Committee is concerned about:



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(a) Discrimination against females and children born out of wedlock under existing personal status law (e.g. inheritance, custody and guardianship); and

(b) Certain vocational courses at the secondary level are restricted to one sex.

477. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding 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;

(b) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family; and

(c) Train members of the legal profession, especially the judiciary, to be gender sensitive. Religious leaders should be mobilized to support such efforts.

478. Encouraged by significant developments in this area, the Committee is nevertheless concerned at the disparities in access to social services available in Shariah communities in comparison to those in largely Sunni areas. It is also concerned about the enjoyment of rights by the *bidoon* and by non-national children, particularly children with disabilities.

479. The Committee recommends that the State party:

(a) Continue its 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;

(b) Continue to prioritize and target resources and social services for children belonging to the most vulnerable groups;...

...

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 51, 52, 66 and 67.

51. The Committee is concerned that:

(a) The list of criteria for which discrimination is prohibited under the Constitution, as described in the State party's report (para. 146), is limited in relation to article 2 of the Convention and omits, notably, discrimination on the grounds of political belief;

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(b) As noted in the State party's report (para. 140) "girls are highly penalized not only at the level of the family but in society in general";

(c) Discrimination against children with disabilities is prevalent.

52. The Committee recommends that the State party:

(a) Amend the legislation to ensure that it fully corresponds with the provisions of article 2 of the Convention;

(b) Formulate policies and programmes with a view to addressing discrimination against specific groups of children, in particular girls and children with disabilities.

...

66. While noting that a major effort has been made to address the situation of children with disabilities since 1986 (see report, para. 189), the Committee remains concerned that:

(a) The rights of children with disabilities are very poorly respected (see report, para. 187), societal discrimination is prevalent against children with disabilities, including children with Down's syndrome, and that there are cases of the killing of newborn children who have physical disabilities;

(b) As indicated in the State party's report, the law does not prohibit discrimination against the disabled specifically, there is no law mandating accessibility for persons with disabilities and existing legislation with regard to children with disabilities is not implemented;

...

(d) Children with disabilities often have serious difficulty in gaining access to public buildings, including to hospitals and schools.

67. The Committee recommends that the State party, in the spirit of the United Nations Guidelines on Disabilities and the results of the Committee's day of general discussion on the rights of children with disabilities:

(a) Develop or amend legislation to ensure that discrimination on the grounds of disability is prohibited and that children with disabilities have access to public transportation and public buildings, including all schools and hospitals;

(b) Ensure the implementation of all legislative measures of protection for children with disabilities, in particular with regard to non-discrimination, giving attention to practices such as the killing of newborn children with disabilities;

(c) Significantly strengthen its assistance to children with disabilities and ensure, *inter alia*, that they have access to health, educational and professional facilities;

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...

(e) Revive services established to assist persons with disabilities in the past, but which are no longer functioning, or functioning only in part (see report, paras. 195-198);

(f) Seek international cooperation in this regard.

- Belgium, CRC, CRC/C/118 (2002) 29 at paras. 97, 98, 101, 102, 109 and 110.

97. The Committee appreciates the fact that the State party has reviewed its declaration on article 2 and its reservation to article 40.2(v) of the Convention, pursuant to the previous concluding observations. Nevertheless, it is concerned that the State party does not intend to withdraw them. With respect to article 2, the Committee, noting that the general principle of non-discrimination in the Convention prohibits differences in treatment on grounds that are arbitrary and objectively unjustifiable, including nationality, is concerned that the declaration on article 2 may restrict the enjoyment of non-Belgian children in Belgium of rights contained in the Convention. The Committee emphasizes that the guarantee of non-discrimination in the Convention applies to "each child within [the State party's] jurisdiction"...

98. The Committee encourages the State party to review its declaration and reservation with a view to withdrawing them in accordance with the Declaration and Programme of Action of the Vienna World Conference on Human Rights (1993).

...

101. The Committee notes the establishment, since the initial report was considered, of the Inter-Ministerial Conference for the Protection of Child Rights and the agreement on the creation of a national commission for the rights of the child. However, the Committee remains concerned: at the absence of a global vision of children's rights and its translation into a national plan of action; that different laws governing different administrative jurisdictions may lead to discrimination in the enjoyment of children's rights across the State party; that the absence of a central mechanism to coordinate the implementation of the Convention in Belgium makes it difficult to achieve a comprehensive and coherent child rights policy.

102. The Committee recommends that the State party:

(a) Expedite the formal approval and full implementation of the above-mentioned agreement in order to establish a national commission for the rights of the child and provide it with adequate human and financial services;

(b) Assign coordination of the implementation of the Convention to a highly visible and easily identifiable permanent body with an adequate mandate and adequate resources;

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(c) Prepare and implement a comprehensive national plan of action for the implementation of the Convention, paying special attention to children belonging to the most vulnerable groups (e.g. poor households, asylum-seekers), through an open, consultative and participatory process;

(d) Continue and expand the use of child impact assessments in the formulation of budgets and policies.

...

109. The Committee welcomes the Decree of March 2000 expanding the mandate of the Centre for Equal Opportunities and Opposition to Racism to include all forms of discrimination, including grounds of gender, sexual orientation, birth, civil status, ill health, age and disability. The Committee is concerned at racist incidents against minorities; the disparities in the enjoyment of economic and social rights, particularly health and education, experienced by poor children, non-Belgian children, including unaccompanied minors, and disabled children.

110. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes, and implement the recommendations of the Committee on the Elimination of Racial Discrimination (March 2002);

(b) Take all necessary measures to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination;

(c) Continue to prioritize and target resources and social services to children belonging to the most vulnerable groups;

(d) Review existing policies and practice in relation to children with disabilities, including draft legislation, with due regard to the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and to the Committee's recommendations adopted at its day of general discussion on children with disabilities (See CRC/C/69).

- Niger, CRC, CRC/C/118 (2002) 37 at para. 152.

152. While noting that discrimination is prohibited under the Constitution (art. 8), the Committee is concerned at the persistence of *de facto* discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights and at the social discrimination experienced by children belonging to the most vulnerable groups, such

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as girls, children with disabilities and children living in rural areas.

- Tunisia, CRC, CRC/C/118 (2002) 68 at paras. 266, 267, 278 and 279.

266. ...[T]he Committee remains concerned about the extent of reservations and declarations made to the Convention by the State party. In particular, the Committee reiterates that the reservation relating to the application of article 2 appears to be incompatible with the object and purpose of the Convention.

267. The Committee, in line with its previous recommendation, and in light of the Vienna Declaration and Programme of Action (1993), encourages the State party to consider reviewing its reservations and declarations to the Convention with a view to withdrawing them, in particular the reservation relating to article 2.

...

278. The Committee welcomes the information on the measures taken to address discrimination against children born out of wedlock, in line with the Committee's previous recommendations, although it remains concerned at the implementation of the legislation in practice. It furthermore observes that the principle of non-discrimination (art. 2) does not figure prominently in the new Child Protection Code. The Committee is deeply concerned that the principle of non-discrimination is not fully implemented in practice with respect to certain groups.

279. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Make concerted efforts at all levels to address discrimination, notably discrimination based on the political and human rights activities, expressed opinions or beliefs of children or their parents, legal guardians or family members; disability; national, ethnic, or social origin, by means of a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups;

(b) Enhance efforts to close gaps in the enjoyment of rights between different regions, and between urban and rural communities;

(c) Ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, in line with previous recommendations ([CRC/C/15/Add.39], para. 7).

- Switzerland, CRC, CRC/C/118 (2002) 78 at paras. 318, 325, 326, 340, 341, 346, 347, 363 and 364.

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318. The Committee recommends that the State party prepare and implement a comprehensive national plan of action for the implementation of the Convention, undertaken through an open, consultative and participatory process. This national plan of action should adopt a rights-based approach and not be limited to protection and welfare. In addition, the Committee recommends that equal attention should be paid both to young and older children. Finally, the Committee recommends that the State party make use of child-impact assessments in the formulation of legislation, budgets and policies.

...

325. While acknowledging the prohibition of discrimination in the Constitution (art. 8), the Committee is concerned at the *de facto* discrimination against foreign children and at incidents of racial hatred and xenophobia that can have a negative effect on the development of children. The Committee is also concerned that some of the cantonal disparities in practices and services provided and in the enjoyment of the rights by children may amount to discrimination.

326. In light of article 2 and other related articles of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat discriminatory disparities. It also recommends that the State party strengthen its administrative measures to prevent and eliminate *de facto* discrimination against foreign children or children belonging to minorities.

...

340. ...[T]he Committee remains concerned that children adopted abroad must wait two years before being formally adopted, which can lead to discrimination and statelessness...

341. The Committee recommends that the State party take the necessary measures to avoid children adopted abroad becoming stateless or discriminated against because of the time between their arrival in the State party and their formal adoption...

...

346. While welcoming the fact that the Constitution prohibits discrimination on the basis of disability (art. 8), the Committee remains concerned at the lack of statistics regarding children with disabilities and the lack of uniform practices for integrating these children in mainstream education in the various cantons. In addition, the Committee is concerned at the distinction made between children born with disability and children who become disabled as far as home care is concerned...

347. The Committee recommends that the State party:

...

(b) Undertake an assessment of the existing disparities in the integration of disabled children in mainstream education across the country and take all necessary measures to eliminate these differences which may amount to discrimination;

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(c) Review its home care support system in order to eliminate *de facto* discrimination between children born with disability and children who become disabled as a result of disease or an accident.

...

363. The Committee is concerned at the lack of information on Roma and Travellers and their children in the State party and that there is no policy for these children.

364. The Committee recommends that the State party undertake a study on children belonging to Roma and Traveller minorities to assess their situation and develop policies and programmes to prevent social exclusion and discrimination, and to allow these children to fully enjoy their rights, including access to education and health care.

- United Arab Emirates, CRC, CRC/C/118 (2002) 90 at paras. 370 and 387-390.

370. Noting the universal values of equality and tolerance inherent in Islam, the Committee observes that the State party's narrow interpretations of Islamic texts, particularly in areas relating to personal status law, may impede the enjoyment of some human rights protected under the Convention.

...

387. Noting the significant achievements in the status of women, the Committee is nevertheless concerned that discrimination, contrary to article 2 of the Convention, persists in the State party. In particular, the Committee is concerned about discrimination against girls and women, and children born out of wedlock under existing personal status law (e.g. inheritance, custody and guardianship).

388. In accordance with article 2 of the Convention, the Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding 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;

(b) Undertake all possible measures to reconcile the interpretation of Islamic texts with fundamental human rights;

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family;

(d) Train members of the legal profession, especially the judiciary, to be gender sensitive. Religious leaders should be mobilized to support such efforts; and

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(e) To continue and strengthen efforts to address these issues at the regional level, such as the Gulf Cooperation Council.

389. The Committee is concerned at the disparities in the enjoyment of economic and social rights, particularly to health and education, experienced by non-national children.

390. The Committee recommends that the State party:

(a) 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; and

(b) Consider ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

- Saint Vincent and the Grenadines, CRC, CRC/C/118 (2002) 101 at paras. 430, 431, 447 and 448.

430. The Committee is concerned that:

(a) The Constitution of Saint Vincent and the Grenadines does not fully reflect the provisions of article 2 of the Convention and, in particular, does not specifically prohibit discrimination on the grounds of language, national, ethnic or social origin, property, disability, birth or other status;

(b) With reference, *inter alia*, to the findings of the Committee on the Elimination of Racial Discrimination, there are occurrences of racial discrimination affecting children, including the children of some minorities, such as the Amerindians and Asians, who form a disproportionate proportion of the population with lower-income levels;

(c) Children with disabilities are *de facto* discriminated against by the absence of specific legislation to cater for their special needs and to provide them with appropriate facilities, and by the absence of effective policies and programmes to facilitate their integration into regular schools;

(d) Children who are known to be infected with HIV/AIDS are discriminated against at school by some teachers.

431. The Committee recommends that the State party:

(a) Amend its legislation, including the Constitution, to ensure that it fully corresponds with the provisions of article 2 of the Convention and to ensure the full implementation of non-



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discrimination provisions, giving special attention to children infected or affected by HIV/AIDS, to children with disabilities and to racial discrimination;

(b) Adopt legislation providing for the protection of the rights of children with disabilities, including with regard to the provision of special services and facilities for children in need of such support.

...

447. The Committee is concerned that:

...

(b) Children with disabilities, including learning disabilities, are not integrated, as a matter of policy, into regular schools and that an insufficient number of teachers have received specialized training in this regard;

...

448. In the context of the Committee's comments [in paras. 430-436] of these concluding observations, and taking note of the United Nations Guidelines on Disabilities and the results of the Committee's day of general discussion on the rights of children with disabilities (6 October 1997), the Committee recommends that the State party:

...

(b) Ensure the integration within the State party's child rights policy of the rights of children with disabilities with regard to, *inter alia*, non-discrimination, participation, survival and development, health, education (including vocational education for future employment) and integration into society;

...

- The Netherlands (Antilles), CRC, CRC/C/118 (2002) 129 at paras. 548 and 549.

548. The Committee is concerned that:

(a) The principle of non-discrimination against children is not guaranteed in legislation;

(b) Discrimination on some of the grounds mentioned in article 2 of the Convention is still not a punishable offence under the Criminal Code;

(c) There is discrimination against children with disabilities;

(d) There are discrepancies in the enjoyment of rights in relation to certain vulnerable groups, especially children from immigrant families who have only limited access to adequate health, education and other social services.

549. The Committee recommends that the Netherlands Antilles:

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- (a) Ensure that all relevant legislation prohibits discrimination on all the grounds covered by article 2 of the Convention;
  - (b) Address all forms of discrimination against children mentioned in points (c) and (d) above;
  - (c) Take strong proactive measures to ensure that children of immigrant families have equal access to education, health and other services.
- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 54, 55, 71, 72, 81 and 82.
    - 54. The Committee is concerned that the principle of non-discrimination is not fully implemented for children living in poverty, indigenous children, children of migrant workers, primarily those from neighbouring countries, street children, children with disabilities and marginalized adolescents who are neither studying nor working, especially with regard to their access to adequate health care and educational facilities.
    - 55. The Committee recommends that the State party:
      - (a) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination;
      - (b) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination.
    - ...
    - 71. While noting the decrease in the infant, child and maternal mortality rates, the Committee is nevertheless concerned that the rates remain high and that there are great disparities in these rates, in particular with regard to children from a lower socio-economic background, those living in rural areas, in particular in the northern provinces, and indigenous children...
    - 72. The Committee recommends that the State party:
      - (a) Allocate appropriate resources and develop comprehensive policies and programmes to improve the health situation of all children without discrimination, in particular by focusing more on health promotion and prevention;
    - ...
    - 81. The Committee, while noting the increase in school enrolment for both primary and secondary education, remains concerned at the limited access to education and at the high drop out and repetition rates, especially at secondary school level, which affect, in particular,

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children from marginalized urban and rural areas, indigenous children and children from migrant families, particularly illegal migrants. It further notes with concern the reduction in education spending which affects, in particular, poorer children.

82. In light of articles 28 and 29 of the Convention, the Committee recommends that the State party:

...

(b) Enforce the Social Plan of Education in order to ensure regular attendance at school and the reduction of drop out rates, especially with regard to the most vulnerable children;

(c) Strengthen programmes of subsidies and scholarships for the children who are most affected by the economic crisis;

(d) Strengthen and expand education in human and children's rights;

...

### *See also:*

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 322 and 323.
- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 397 and 398.
  
- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/121 (2002) 23 at paras. 100, 101, 114, 115, 133, 134, 139, 140, 143, 144, 147 and 148.

100. While noting the entry into force of the Human Rights Act 1998, which incorporates the rights enshrined in the European Convention on Human Rights into domestic law, the Committee is concerned that the provisions and principles of the Convention on the Rights of the Child - which are much broader than those contained in the European Convention - have not yet been incorporated into domestic law, nor is there any formal process to ensure that new legislation fully complies with the Convention. The Committee notes that the devolved administrations have introduced some legal reforms to ensure compatibility with the Convention such as ensuring that the education system in Scotland complies with article 12 and that corporal punishment in the day-care system in Wales is prohibited, but remains concerned that the State party does not ensure that its legislation is compatible with the Convention throughout its territory.

101. The Committee encourages the State party to incorporate into domestic law the rights, principles and provisions of the Convention in order to ensure that all legislation complies with the Convention and that the provisions and principles of the Convention are widely applied in legal and administrative proceedings. The State party is also encouraged to provide training in the provisions of the Convention and to disseminate the Convention more widely.

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...

114. While welcoming the adoption of the Race Relations (NI) Order 1997 and the State party's commitment to end discrimination in its nationality law between children born in and out of wedlock, the Committee is concerned that the principle of non-discrimination is not fully implemented for all children in all parts of the State party and that there is unequal enjoyment of economic, social, cultural, civil and political rights, in particular for children with disabilities, children from poor families, Irish and Roma travellers' children, asylum-seeker and refugee children, children belonging to minority groups, children in care, detained children and children aged between 16 and 18 years old.

115. The Committee recommends that the State party:

(a) Monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination;

(b) Monitor the comparative enjoyment by children of their rights in England, Scotland, Northern Ireland and Wales;

(c) Develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination;

(d) Amend the nationality law to allow transmission of nationality through unmarried as well as married fathers.

...

133. While welcoming the decline in infant mortality rates and the new focus on children in the planning of the national health service, the Committee remains concerned at persisting inequalities in health and access to health services, including mental health services, across the State party linked to socio-economic status and ethnicity (e.g. the high rates of infant mortality among the Irish and Roma travellers)...

134. The Committee recommends that the State party take all appropriate measures to reduce inequalities in health and access to health services...

...

139. ...The Committee is concerned at the still high rate of temporary and permanent exclusion from school affecting mainly children from specific groups (ethnic minorities, including black children, Irish and Roma travellers, children with disabilities, asylum-seekers, etc.), and the sharp differences in educational outcomes for children according to their socio-economic background and to other factors such as gender, disability, ethnic origin or care status...The Committee is particularly concerned that children deprived of their liberty in prisons and juvenile detention centres do not have a statutory right to education, that their education is not the responsibility of the departments responsible for

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education, and that they do not have support for special education needs. The Committee is further concerned that the majority of children in the care system, as well as teenage mothers, do not attain basic qualifications. The Committee welcomes the development of integrated schools in Northern Ireland, but remains concerned that only about 4 per cent of the schools are integrated and that education continues to be largely segregated.

140. In light of articles 2, 12, 28 and 29 of the Convention, and in line with its previous recommendations ([CRC/C/15/Add.34], para. 32), the Committee recommends that the State party:

...

(b) Take appropriate measures to reduce temporary or permanent exclusion, ensure that children throughout the State party have the right to be heard before exclusion and to appeal against temporary and permanent exclusion, and ensure that children who are excluded do continue to have access to full-time education;

(c) Take all necessary measures to eliminate the inequalities in educational achievement and in exclusion rates between children from different groups and to guarantee all children an appropriate quality education;

(d) Ensure that children in detention have an equal statutory right to education and improve education for children in care;

...

(f) Taking into consideration the Committee's General Comment No. 1 on the aims of education, include the Convention and human rights education in the curricula in all primary and secondary schools and teacher training;

(g) Increase the budget for and take appropriate measures and incentives to facilitate the establishment of additional integrated schools in Northern Ireland to meet the demand of a significant number of parents;

(h) Develop educational programmes for teenage mothers to facilitate and encourage their further education;

...

143. Committee is concerned at the discrimination against children belonging to the Irish and Roma travellers which is reflected *inter alia*, in the higher mortality rate among these children, their segregation in education, the conditions of their accommodation and social attitudes towards them. The Committee is also concerned at the gap between policies and service delivery.

144. In line with its previous recommendations ([CRC/C/15/Add.34], para. 40), the Committee recommends that the State party devise, in a consultative and participatory process with these groups and their children, a comprehensive and constructive plan of

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action to effectively target the obstacles to the enjoyment of rights by children belonging to these groups.

...

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

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

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 203 and 204.

203. The Committee is encouraged by the State party's efforts, together with the National Council for the Disabled, to combat discrimination against children and adults with disabilities. Nevertheless, the Committee is concerned that children with disabilities have limited access to public facilities and services because the physical environment is not appropriately designed or because staff and programmes have not been designed to ensure integration of children with disabilities.

204. Taking note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the results of the Committee's day of general discussion on the rights of children with disabilities, held on 6 October 1997 (see CRC/C/69, paras. 310-339), the Committee recommends that the State party continue its cooperation with the National Council for the Disabled and other relevant civil society organizations, in particular in:

(a) Developing and implementing a policy aimed at the full integration of children with disabilities into the mainstream school system;

(b) Assessing the extent to which current services and public facilities are accessible and appropriate for the needs of children with disabilities with a view to improving the physical environment, the coordination of service delivery and the capacity of all staff and professionals working for and with children to include children with disabilities in their programmes, thereby facilitating their active participation in society at large.

- Sudan, CRC, CRC/C/121 (2002) 53 at paras. 243-246 and 262-265.

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243. The Committee is concerned that the definition of the child is unclear under Sudanese law and is not in conformity with the principles and provisions of the Convention. For example, minimum ages may be determined by arbitrary criteria, such as puberty, and discriminate between girls and boys, and in some cases are too low (e.g. the minimum age of marriage is as low as 10 years).

244. The Committee recommends that the State party review its legislation so that the definition of the child, the age of majority, and other minimum age requirements conform to the principles and provisions of the Convention, and that they are gender neutral, and ensure that the laws are enforced.

245. The Committee is concerned that:

(a) There are significant inequalities regarding access to basic health and education services between children living in different parts of the country, most especially between southern Sudan and the rest of the country;

(b) There is discrimination with regard to children born out of wedlock, children with disabilities and refugee children, and discrimination on religious and ethnic grounds;

(c) Throughout the State party traditional patterns of discrimination limit the opportunities available to girls and women.

246. The Committee recommends that the State party:

(a) Ensure that all children, regardless of the region of the country in which they live, enjoy equal respect for their rights, including with regard to basic services;

(b) End all discrimination against children, giving particular attention to discrimination based on religious beliefs;

(c) Conduct a study to assess the scope and causes of discrimination between boys and girls and take steps to address such discrimination, giving particular attention to the impact of traditional and cultural practices upon girls and women with a view to adopting a proactive and comprehensive strategy for the elimination of discrimination against them.

...

262. The Committee notes the progress with regard to child immunization programmes, but remains deeply concerned at the very poor availability, accessibility and quality of basic health-care services. The Committee is concerned, among other things, at the high rates of infant, child and maternal mortality, the significant inequalities in the provision of health-care services between the north and the south of the country, the very limited access to safe drinking water responsible for 40 per cent of deaths of children under 5, and other

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serious health problems like malaria, acute respiratory diseases, lack of iodine and malnutrition...

263. The Committee urgently recommends that the State party:

...

(c) Reduce inequalities in the levels of health of children in the State party through, *inter alia*, improving access to safe drinking water and adequate sanitation and strengthening the availability of health services in rural areas;

...

264. While encouraged by the progress indicated by the delegation, the Committee remains concerned at societal stigmatization and discrimination against disabled children, the lack of disaggregated data concerning them and the very limited services and opportunities offered to those children.

265. In the context of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the results of the Committee's day of general discussion on the rights of children with disabilities, held on 6 October 1997 (see CRC/C/69, paras. 310-339) the Committee recommends that the State party:

...

(b) Make every effort to bring an end to traditional beliefs and stigma prejudicial to children with disabilities, including through education and information programmes;

(c) Ensure the integration within its child-rights policy of the perspectives of the rights of children with disabilities with regard to, *inter alia*, non-discrimination, participation, survival and development, health, education (including vocational education for future professional employment) and integration in society;

...

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 324, 367 and 368.

324. The Committee reiterates its previous recommendation ([CRC/C/15/Add. 42], para. 22) that measures be taken to prevent a rise in discriminatory attitudes or prejudices, in particular against children belonging to the above-mentioned vulnerable groups.

...

367. The Committee is concerned that, despite pilot programmes aimed at improving the situation of the Roma in certain provinces, they still suffer from widespread discrimination, which has in some instances impeded their children's right to education, health and social welfare.

368. The Committee recommends that the State party:



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(a) Initiate campaigns at all levels and in all provinces aimed at addressing the negative attitudes towards the Roma in society at large and in particular amongst authorities and professionals providing health, education and other social services;

(b) Develop and implement a plan aimed at integrating all Roma children into mainstream education and prohibiting their segregation in special classes and which includes pre-school programmes for them to learn the primary language of schooling in their community;

(c) Develop curriculum resources for all schools that include Romani history and culture in order to promote understanding, tolerance and respect for Roma in Ukrainian society.

### *See also:*

- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 420 and 421.
- Poland, CRC, CRC/C/121 (2002) 120 at paras. 545 and 546.
  
- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 408 and 409.

408. The Committee expresses its deep concern at the increasing number of children with disabilities and at the insufficient support provided to their families. It further notes that there are few efforts to integrate these children in mainstream education and society, including in cultural and leisure activities. The Committee is also concerned at the terminology used in discussions about children with disabilities, such as “invalid”, which may lead to prejudice, stigmatization and negative psychological effects.

409. In light of article 23 of the Convention, the Committee recommends that the State party:

...

(c) Conduct public campaigns to raise awareness of the situation and the rights of children with disabilities;

...

(f) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the Committee’s recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage their integration into the regular educational system and inclusion into society, including by providing special training to teachers and by making schools and public facilities accessible;

(g) Avoid terminology such as “invalid” and use the internationally accepted terminology such as “children with disabilities”.

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- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 450, 451, 473 and 474.

450. While noting that discrimination is prohibited under the Constitution, that acts of discrimination are an offence under the new Penal Code and that several measures have been taken to promote the rights of girls and women (establishment of the Ministry for the Advancement of Women and of the Department for the Promotion of Girls' Education, etc.), the Committee is concerned at the persistence of *de facto* discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights, e.g. in education, experienced by children belonging to the most vulnerable groups, among others, girls, children with disabilities, children born out of wedlock, children born of incest and children living in rural areas.

451. In line with its previous recommendations ([CRC/C/15/Add.19], para. 14), the Committee recommends that the State party:

(a) 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;

(b) Prioritize and target social services to children belonging to the marginalized and most vulnerable groups through a proactive and comprehensive strategy;

(c) 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.

...

473. While noting the plans for a national rehabilitation policy and a national plan of action, the Committee is concerned at the lack of statistical data on children with disabilities in the State party, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, education and employment possibilities available to them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

474. The Committee recommends that the State party:

...

(b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;

...

(d) Allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;

(e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;

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...

(g) Sensitize the population to the human rights of children with disabilities;

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

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 520, 521, 537 and 538.

520. The Committee notes with concern that the principle of non-discrimination is not adequately implemented with respect to certain vulnerable groups of children, including children of the Roma and other ethnic minorities, children living in institutions, children with disabilities, children of poor families and children with HIV/AIDS. In particular, the Committee is concerned about their limited access to adequate health, education and other social services and about reports of racially motivated violence in which police have failed to protect the victims.

521. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

537. The Committee notes the new initiatives to provide textbooks to children from poor families and provide all schools with computers, yet it remains concerned at the increasing disparities in access to education, the material condition of schools and the quality of education between rural and urban areas, particularly with regard to kindergartens and extracurricular programmes and activities.

538. The Committee recommends that the State party ensure that children in rural areas have equal opportunities for a quality education which provides them with the skills to enter the labour market or university-level education based on their merit, by:

(a) Seeking innovative means for promoting the cognitive, social and emotional development of children, through, inter alia, programmes that foster interaction between children and their peers and parental education programmes on the benefits of early childhood education, ensuring that there are sufficient and appropriate kindergarten facilities for all children in rural areas; orienting the education system towards achieving the aims mentioned in article 29, paragraph 1, of the Convention and in the Committee's General Comment No. 1 on the aims of education; and introducing human rights, including children's rights, into the school curricula;

(b) Ensuring that rural areas and poorer communities are provided with additional funds to allow them to provide the same quality of education and level of extracurricular programmes

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as urban schools;

(c) Ensuring that students from poor families or those in rural areas have access to scholarships or other forms of financial support that allow them to attend general secondary schools in preparation for university.

- Israel, CRC, CRC/C/121 (2002) 131 at paras. 558, 559, 574, 577, 592, 593 and 602-605.

558. The Committee welcomes the commitment of the various parliamentary committees campaigning to promote children's rights through, among other things, proposals for new legislation (i.e. on implementation of the Convention and on the right to quality education on an equal basis) in the area of children's rights.

559. The Committee encourages the State party:

(a) To ensure the speedy promulgation of legislation relating to child rights and its effective implementation;

(b) To consider the adoption of a comprehensive children's code, which would incorporate the principles and provisions of the Convention;

(c) To continue to support the work of these committees through the allocation of adequate resources.

...

574. The Committee is concerned that Israeli legislation discriminates in the definition of the child between Israeli children (e.g. persons under 18 in the 1962 Guardianship and Legal Capacity Law, and the Youth (Trial, Punishment and Modes of Treatment) Law) and Palestinian children in the occupied Palestinian territories (i.e. persons under 16 in Military Order No. 132).

575. The Committee recommends that the State party rescind the provision of Military Order No. 132 concerning the definition of the child and ensure that its legislation conforms to articles 1 and 2 of the Convention in this regard.

576. The Committee is concerned that discrimination, contrary to article 2 of the Convention, persists in the State party, and that non-discrimination is not expressly guaranteed under the Constitution. In particular, the Committee is concerned about discrimination against girls and women, especially in the context of religious laws, discrimination on religious grounds, inequalities in the enjoyment of the economic, social and cultural rights (i.e. access to education, health care and social services) of Israeli Arabs, Bedouins, Ethiopians and other minorities, children with disabilities and children of foreign

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workers, and of the rights and freedoms of Palestinian children in the occupied territories.

577. The Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding legislation where necessary, to ensure that all children enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Strengthen its efforts with respect to affirmative-action initiatives;

(c) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard;

(d) Mobilize religious leaders to support such efforts;

(e) Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (General Assembly resolution 45/158, annex).

...

592. The Committee notes the various efforts of the State party to address the rights and special needs of children with disabilities. However, it remains concerned at the large gap between the needs and services provided, and the gap between services provided to Jewish and Israeli Arab children.

593. The Committee recommends that the State party continue and strengthen its efforts to prioritize and target resources (human and financial) to ensure that the needs of children with disabilities are met and the necessary services provided. Furthermore, it recommends that the State party ensure that Israeli Arab children receive the same level and quality of services as Jewish children.

...

602. The Committee is concerned about the serious deterioration of access to education of children in the occupied Palestinian territories as a result of the measures imposed by the Israeli Defence Forces, including road closures, curfews and mobility restrictions, and the destruction of school infrastructure.

603. The Committee recommends that the State party guarantee that every Palestinian child has access to education, in accordance with the Convention. As a first step, the State party should ensure that restrictions on mobility are lifted throughout the occupied Palestinian territories during school hours.

604. The Committee welcomes the information that the budget for education has been protected from recent cuts in spending, but is concerned that investment in and the quality

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of education in the Israeli Arab sector is significantly lower than in the Jewish sector.

605. The Committee recommends that the State party continue and strengthen its affirmative-action programmes and further increase the budget allocated for education in the Arab sector.

- Estonia, CRC, CRC/C/124 (2003) 9 at paras. 45, 46, 50, 51, 60 and 61.

45. The Committee is concerned that the current discriminatory attitudes towards linguistic minority communities (e.g. the Russian-speaking community), non-citizens, especially those without legal status, and other disadvantaged groups may restrict, directly or indirectly, the rights guaranteed under the Convention to children belonging to those groups. In particular, the Committee is concerned:

(a) That there are no legislative provisions defining crimes with a racist element as racially motivated crimes, or for racist motivation to be taken into account by the courts as a factor when pronouncing sentence. In this regard, the Committee is concerned at the effectiveness of measures to guarantee the security of children who may be victims of racist acts;

(b) That there is no legislation at present prohibiting discrimination in housing, and access to education and public services;

(c) That a high proportion of children from Russian-speaking communities are stateless;

(d) That large minority groups (e.g. the Russian-speaking community, which accounts for approximately 30 per cent of the population) are disproportionately overrepresented among low-income and unemployed households, and underrepresented in the public service.

46. The Committee recommends that the State party:

(a) Take effective measures, including enacting or rescinding legislation where necessary, to ensure that all children enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Study the effectiveness of the measures taken to counter all forms of discrimination;

(c) Consider the adoption of provisions to criminalize and punish racially motivated acts;

(d) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard.

...

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50. The Committee welcomes the amendments made in 1998 to the Law on Citizenship simplifying procedures for the naturalization of children of stateless persons and notes that the number of stateless persons in Estonia is decreasing. Nevertheless, the Committee is concerned that the situation of stateless parents, who by virtue of their status are unable to participate fully in Estonian society, negatively impacts on their children's integration into Estonian society. Moreover, it is concerned that, under article 21 of the Law on Citizenship, children of former military and security service personnel and their spouses and families may be denied citizenship.

51. The Committee recommends, in accordance with articles 2 and 7 of the Convention, that the State party:

...

(d) Take measures to eliminate discrimination against children on account of their parents' past opinions or activities;

(e) Ensure that all children residing on the territory of Estonia enjoy all the rights under the Convention, whether or not they are citizens;

(f) Accede to the Convention relating to the Status of Stateless Persons of 1954 as well as to the Convention on the Reduction of Statelessness of 1961, with a view to ensuring protection to all stateless persons in Estonia.

...

60. The Committee appreciates the many efforts made in this field, as well as the fact that the State party acknowledges that challenges remain with regard to guaranteeing children with disabilities the rights contained in the Convention, integrating them in mainstream education and providing support for families. It notes with concern that the implementation of the Education Act does not sufficiently envisage the inclusion of disabled children; that negative societal attitudes towards inclusion persist; and that support payments are only payable for disabled children up to 16 years of age.

61. The Committee recommends that the State party:

...

(d) Undertake awareness-raising campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities;

(e) Give attention to combating negative societal attitudes towards children with disabilities;

...

(g) Take measures to remove physical barriers to enable effective access of children with disabilities to schools and other institutions and services in a manner conducive to the child's achieving the fullest possible social integration and individual development.

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- Republic of Korea, CRC, CRC/124 (2003) 24 at paras. 95, 96, 109, 110, 128, 129, 136 and 137.

95. The Committee welcomes...the establishment of the National Commission on Human Rights. Nevertheless, it is concerned that the Commission has no specialization in children's rights.

96. The Committee recommends that the State party, in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights ("The Paris Principles") (General Assembly resolution 48/134, annex) and the Committee's general comment No. 2 on national human rights institutions:

(a) Ensure that there is at least one child rights expert amongst the commissioners, or alternatively, that the Commission establish a subcommittee on children's rights;

(b) Ensure that the National Commission on Human Rights is accessible to children, in particular by raising awareness of its power to receive, investigate and address complaints by children in a child-sensitive manner.

...

109. The Committee notes with concern the absence of information in the State party's report on racial discrimination, and the limited amount of information regarding acts of discrimination against children from single-parent families, children born out of wedlock, children with disabilities, girls and migrant families. It is also concerned that the Constitution does not explicitly prohibit discrimination on the grounds of race, colour, language, political or other opinion, national or ethnic origin, disability, birth or other status, as stated in the Convention.

110. The Committee recommends that the State party enact legislation explicitly prohibiting discrimination in order to include all grounds enumerated in article 2 of the Convention. In addition, the Committee recommends that the State party undertake all necessary proactive measures to combat societal discrimination, in particular against children from single-parent families, children born out of wedlock, children with disabilities, children of migrant workers and girls through, *inter alia*, public education and awareness campaigns.

...

128. The Committee is extremely concerned that societal discrimination against children is widespread and prevents these children from enjoying their right to "a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation". In particular, it is concerned at reports that a significant number of children with disabilities are abandoned each year, that many cannot attend school and when they do attend school they are segregated from other students.

129. The Committee recommends that the State party, in accordance with the



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recommendations arising from the Committee's day of general discussion, held in 1997, on children with disabilities, and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex):

(a) Take effective measures to combat the culture of discrimination against children with disabilities, including through awareness-raising and education campaigns aimed at parents, children, teachers and the general public;

(b) Undertake a comprehensive survey of the number of children with disabilities, including those currently not attending school, which assesses their educational needs and access to education and other social services;

(c) Expand existing programmes aimed at improving the physical access of children with disabilities to public buildings and areas, including schools and recreational facilities, and increase the number of integrated education programmes at pre-primary, primary, secondary and tertiary levels.

...

136. The Committee is concerned that education and social welfare laws and regulations do not include specific provisions providing for the welfare and rights of foreign children, in particular those of undocumented migrant workers.

137. The Committee recommends that the State party:

(a) Amend domestic laws, in particular those on education and social welfare, to include specific provisions which ensure equal access to services for all foreign children, including those of undocumented migrant workers;

...

- Italy, CRC, CRC/124 (2003) 36 at paras. 161, 162, 168-171, 184, 185, 192 and 194-196.

161. The Committee notes the establishment of several observatories on discrimination in the State party as well as the provisions on discrimination contained in Law 40/98 (Regulations on Immigration and Rules on the Conditions of the Foreigner). Nonetheless, the Committee is concerned at racist incidents involving minorities, the use of hate speech in public presentations, and the disparities in the enjoyment of economic and social rights, particularly in the fields of health, social welfare, education and housing, experienced by poor children, Roma children, non-Italian children, including unaccompanied minors, and disabled children.

162. In accordance with article 2 and other related articles of the Convention and in line with its previous recommendations ([CRC/C/15/Add.41], paras.17 and 18), the Committee

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recommends that the State party:

- (a) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes, and implement the recommendations of the Committee on the Elimination of Racial Discrimination (A/56/18, paras. 298 and 320);
- (b) Strengthen its efforts to incriminate and take appropriate penal sanctions against any act of racism, racial discrimination, xenophobia and related intolerance;
- (c) Carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake, on the basis of this evaluation, the necessary steps to prevent and eliminate discrimination through proactive measures;
- (d) Ensure that the devolution process will enhance the elimination of disparities between children based on the wealth of the region to which they belong;
- (e) Continue to prioritize and target resources and social services to children belonging to the most vulnerable groups;
- (f) Study promptly the situation of foreign children in detention, ensure their full rights without discrimination, especially to education, and ensure their right to integration into society.

...

168. The Committee is concerned that adopted children cannot know the identity of their natural parents even after having reached majority and when this is proved to be in their best interests. The Committee is further concerned that children born out of wedlock legally do not have a mother or a father unless they are recognized by their mothers and/or fathers.

169. In the light of article 7 of the Convention, the Committee recommends that the State party:

- (a) Ensure, as far as possible, respect for the child's right to know his or her parents' identity should he/she be an adopted child or a child born out of wedlock who has not been recognized by either of his or her parents;
- (b) Urgently review and amend legislation in order to ensure that children born out of wedlock legally have from birth a mother (in accordance with the European Court on Human Rights decision *Marckx v. Belgium* and the rule *mater semper certa est*) and encourage recognition of these children by their fathers (as a way to prevent "easy" abandonment of children);
- (c) Ratify the European Convention on the Legal Status of Children Born out of Wedlock.

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170. The Committee is concerned that, as mentioned in the State party's report (para. 147), children, especially in elementary schools, may suffer from marginalization if they abstain from religious instruction, which mainly covers the Catholic religion. In addition, the Committee is concerned that parents, notably those of foreign origin, are not always aware that religious instruction is not compulsory.

171. In the light of articles 2, 14 and 29 of the Convention, the Committee recommends that the State party make sure that parents, in particular of foreign origin, when they are filling out the relevant forms are aware that Catholic religious instruction is not compulsory.

...

184. The Committee welcomes the adoption of Act 9/99, which extends the duration of compulsory education from 8 to 10 years, and the various programmes to improve teacher training, but remains concerned at the high rate of drop-out in upper secondary education, the variations in educational outcomes for children according to their cultural and socio-economic background and to other factors such as gender (more girls than boys obtain a secondary education diploma), disability and ethnic origin...

185. The Committee recommends that the State party:

...

(b) Take all necessary measures to eliminate the inequalities in educational achievement between girls and boys and among children from different social, economic or cultural groups and to guarantee quality education to all children;

...

192. The Committee notes that a reform of the juvenile justice system is pending. It is concerned at the existing discrimination against children of foreign origin and Roma children within the juvenile justice system; the lack of independent structures to monitor the conditions of detention of children; and at the inadequate training of the personnel involved in the juvenile justice system.

...

194. ...[T]he Committee recommends that the State party:

(a) Take all necessary measures, including through awareness-raising campaigns and adequate training of the personnel involved, to prevent and eliminate discrimination against children of foreign origin and Roma children;

...

195. While noting the efforts undertaken by the State party to improve the situation of Roma children, the Committee remains concerned at their difficult social situation and their insufficient access to education and health services. In addition, the Committee is deeply concerned at instances of discrimination against this group of children, sometimes from the personnel of the State party themselves.

196. The Committee recommends that the State party develop, in cooperation with Roma

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NGOs, comprehensive proactive policies and programmes to prevent social exclusion and discrimination and to allow Roma children to enjoy fully their rights, including access to education and health care.

- Romania, CRC, CRC/124 (2003) 49 at paras. 223, 224, 246, 247, 252, 253, 262 and 263.

223. While welcoming the adoption of the new legislation (Law No. 48/2002) and other efforts to counter discrimination and address the concerns expressed by the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.85, paras. 9-16), the Committee is concerned that the principle of non-discrimination is not fully implemented for all children in all parts of the State party, and that unequal enjoyment of economic, social, cultural, civil and political rights persists (e.g. for children with disabilities, children living with HIV/AIDS, children in care institutions, children in detention, asylum-seeker and refugee children, foreign children, children between 16 and 18 years, children from poor households, and children belonging to Roma and other minority groups).

224. The Committee reiterates its previous recommendations (CRC/C/15/Add.16, paras. 10, 19 and 21) that measures be taken to address effectively discriminatory attitudes or prejudices, in particular towards children belonging to the above-mentioned vulnerable groups. It also recommends that the State party implement fully and effectively already adopted legal measures to prevent discrimination and to ensure that the Constitution is in full conformity with article 2 of the Convention.

...

246. The Committee is concerned that disabled children in Romania remain disadvantaged in the enjoyment of their rights guaranteed by the Convention. The Committee is concerned, among other things, that:

(a) Children with disabilities often have serious difficulty in obtaining transportation and in gaining access to public buildings, including hospitals and schools;

(b) Despite the efforts of the State party to promote inclusion, disabled children in practice have limited access to formal education;

(c) The process of certification of disability is reportedly degrading;

...

247. The Committee recommends that the State party:

(a) Review existing policies and practice in relation to children with disabilities, taking due account of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and of the Committee's recommendations adopted at its day of general discussion on the theme "The rights of

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children with disabilities” (CRC/C/69, paras. 310-339);

...

(c) Undertake greater efforts for inclusive education of children with all forms of disability and seek greater involvement of local communities in the process;

(d) Improve the physical accessibility of schools and other public buildings;

(e) Undertake greater efforts to promote and expand community-based rehabilitation programmes, including parent support groups;

(f) Strengthen public awareness campaigns to change negative public attitudes;

(g) Seek assistance from, among others, UNICEF and the World Health Organization (WHO).

...

252. The Committee notes:

(a) That the legislation (Law 48/2002) provides special protection for vulnerable persons, but remains concerned that *de facto* discrimination persists regarding access to education, health care and social benefits;

...

253. The Committee recommends that the State party:

(a) Ensure the availability of Romanian language courses, as stipulated by law, to facilitate the integration of asylum-seeker and refugee children in the education system;

(b) Consider preferential treatment for refugees, including exemptions from or reductions in tuition fees for upper secondary and university education;

...

262. The Committee welcomes the implementation of strategies aimed at improving Roma children’s rights to health-care services and inclusion in education (e.g. through the use of health and education mediators and supportive tuition in the Roma language). The Committee also welcomes Roma NGO participation in improving the rights of their children. However, it remains concerned at the negative attitudes and prejudices of the general public, in the political discourse and in media representations as well as at incidents of police brutality and discriminatory behaviour on the part of some teachers and doctors.

263. In accordance with articles 2 and 30 of the Convention, the Committee recommends that the State party:

(a) Initiate campaigns, at all levels and in all regions, aimed at addressing the negative attitudes towards the Roma in society at large, in particular among authorities such as the

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police and professionals providing health care, education and other social services;

(b) Based on the evaluation of previous strategies, develop and implement a comprehensive strategy for improving access to primary health care, education and social welfare services, in cooperation with Roma NGO partners and targeting the whole Roma child population;

(c) Develop curriculum resources for all schools, including in relation to Roma history and culture, in order to promote understanding, tolerance and respect for the Roma in Romanian society.

### *See also:*

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 388 and 389.
- Viet Nam, CRC, CRC/C/124 (2003) 67 at paras. 287, 288, 310 and 311.

287. The Committee notes with concern that domestic legislation does not specifically prohibit discrimination based on all the grounds listed under article 2 of the Convention. In particular, discrimination against children with disabilities is not explicitly prohibited. Moreover, the lower level of development indicators for ethnic minorities appears to indicate the existence of some level of societal and institutional discrimination, specifically with regard to their access to health and education.

288. The Committee recommends that the State party:

(a) Amend domestic legislation to ensure that it corresponds fully with all the provisions of article 2 of the Convention and that, in particular, discrimination against children on the grounds of disability is expressly prohibited by law;

(b) Strengthen efforts to eliminate disparities in the accessibility and quality of health care and education between regions and ethnic minorities;

(c) Conduct a study in collaboration with ethnic community leaders to determine the extent to which ethnic minority children suffer from discrimination and develop policies and programmes to address the root causes of any such discrimination.

...

310. The Committee is concerned that HIV/AIDS is spreading and increasingly affects children, either because they have been infected or because they may have lost parents to the disease.

311. The Committee recommends that the State party take into account the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I), and:

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(a) Integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies, with a particular emphasis on the Convention's four general principles of non-discrimination (art. 2), best interests of the child (art. 3), right to life (art. 6) and respect for the views of the child (art. 12);

...

(c) Take effective measures to prevent stigmatization and discrimination against children living with HIV/AIDS, in particular through public education campaigns.

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 349, 350, 373 and 374.

349. The Committee welcomes the Method Instruction of the Ministry of Education, Youth and Sports on education against expressions of racism, xenophobia and intolerance. The Committee also notes the numerous initiatives of the State party to counter discrimination in education, in particular against children belonging to the Roma minority, including the adoption of legislation to counter discrimination in employment (Act No. 167/1999 Coll.). However, the Committee is concerned that the provisions of article 2 are not yet integrated into all relevant legislation and thus not sufficiently implemented. The Committee reiterates also the concerns expressed by the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.76, paras. 12 and 23) and the Human Rights Committee (CCPR/CO/72/CZE, paras. 8-11) and remains concerned at the persistence of *de facto* discrimination against minorities, in particular the Roma and other vulnerable groups.

350. The Committee recommends that the State party continue and strengthen its legislative efforts to fully integrate the right to non-discrimination (article 2 of the Convention) into all relevant legislation concerning children and to ensure that this right is effectively 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 and children belonging to minority groups, such as the Roma. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes.

...

373. The Committee notes that new financial benefits were introduced in 1995 under Act No. 117/1995 Coll. regulating contributions and additional social care payments and that the Elimination of Poverty and Social Exclusion Strategy is being implemented. However, the Committee shares the concerns of the Committee on Economic, Social and Cultural Rights ([E/C.12/1/Add.76], para. 10) that the inadequacy of the social safety nets during the restructuring and privatization process has negatively affected the enjoyment of economic, social and cultural rights, disproportionately affecting the most disadvantaged and marginalized groups.

374. The Committee recommends that the State party ensure that the provisions of the

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Convention are taken into account in the privatization process and that all children residing on the territory of the State party equally enjoy social benefits.

...

- Haiti, CRC, CRC/124 (2003) 95 at paras. 417 and 418.

417. The Committee, while noting that discrimination is prohibited under the Constitution (art. 18) and that a Ministry for the Status of Women was established in 1994, remains nonetheless concerned by the persistence of discriminatory legal rules regarding children born out of wedlock. The Committee is further concerned at the *de facto* discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups, such as girls, *restavek*, children from poor families, street children, children with disabilities and children living in rural areas.

418. In the light of article 2 and other related articles of the Convention, the Committee recommends that the State party:

- (a) Adopt, as a matter of priority, effective legal measures to stop discrimination against children born out of wedlock;
- (b) Ensure through legislation that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination and prioritize and direct social services to children belonging to the most vulnerable groups through proactive and comprehensive policy measures;
- (c) Ensure effective law enforcement, and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

- Iceland, CRC, CRC/124 (2003) 109 at paras. 482 and 483.

482. Owing to the growing number of people of foreign origin in Iceland, the Committee welcomes efforts by the State party to address their needs (e.g. through the adoption of the 2003 law on foreigners, the appointment of a special representative in the State police, publications on cultural tolerance for health professionals, and the establishment of an intercultural centre in Reykjavik). Nevertheless, it is concerned that further efforts need to be taken to proactively address issues of racism that may arise with the growing numbers of immigrants in Iceland.



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483. The Committee recommends that the State party:

(a) Guarantee all children within its jurisdiction all the rights contained in the Convention, in accordance with article 2;

(b) Develop comprehensive and coordinated policies to address the developing phenomenon of immigration, including public information campaigns to promote tolerance, as well as monitor and collect data on racially motivated acts;

(c) Study the situation of immigrant children in the municipalities, especially in the school system, and the effectiveness of measures taken to facilitate their integration;

...

- Eritrea, CRC, CRC/C/132 (2003) 8 at paras. 44, 45, 71 and 72.

44. The Committee is concerned that, as noted by the State party, societal discrimination persists against vulnerable groups of children, including girls, children with disabilities, AIDS orphans and children born out of wedlock.

45. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

71. The Committee...remains concerned that children with disabilities often suffer from societal discrimination and that a significant proportion do not attend school or participate in social and cultural life.

72. The Committee recommends that the State party

...

(c) Continue to strengthen efforts to combat discriminatory attitudes towards children with disabilities, particularly amongst children and parents, and promote their participation in all aspects of social and cultural life;

(d) Formulate a programme that includes appropriate teacher training in order to ensure that all children with disabilities have access to education, including vocational training, and that wherever possible they are integrated into the mainstream education system.

- Cyprus, CRC, CRC/C/132 (2003) 21 at paras. 113-116, 120 and 121.

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113. The Committee is concerned that the principles of the right to non-discrimination (article 2 of the Convention), the right to have the child's best interests as a primary consideration in matters affecting him/her (art. 3), the right to life, survival and development of the child (art. 6) and the right to respect for the views of the child according to age and maturity (art. 12) are not fully reflected in the State party's legislation, policies and programmes at national and local levels.

114. The Committee recommends that the State party:

(a) Appropriately integrate the general principles of the Convention (arts. 2, 3, 6 and 12) in all relevant legislation concerning children;

(b) Apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services that have an impact on all children;

(c) Apply these principles in planning and policy-making at every level, as well as in actions taken by social and health welfare and educational institutions, courts of law and administrative authorities.

115. ...[T]he Committee reiterates the concern of CERD relating to the lack of legal provisions expressly outlawing racial discrimination by private persons in education and employment. Furthermore, the Committee is concerned that certain factors linked to discriminatory attitudes may persist, in particular those related to acquisition of nationality, children born out of wedlock and Cypriot children of Turkish origin. It further notes that certain pieces of legislation do not apply equally to girls and boys.

116. The Committee recommends that the State party consider reviewing legislation, and amending it where necessary, with a view to ensuring that all children are accorded equal rights without discrimination based on their ethnic origin, sex, or other grounds. Furthermore, it encourages the State party to pursue information campaigns to eliminate stereotyping in terms of traditional roles of men and women in society.

...

120. The Committee is concerned that inadequate attention has been paid to the promotion of the civil rights and freedoms of the child and, in particular, regrets that there is no information in the State party's report on article 14 of the Convention.

121. The Committee urges the State party to redouble its efforts to educate and sensitize parliamentarians, government officials, members of the judiciary and other professional groups, parents and children on the importance of accepting fully the concept of child rights. It recommends that further measures be undertaken to ensure freedom of religion to children, particularly in light of the child's right to non-discrimination on the grounds of religion.

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- Zambia, CRC, CRC/C/132 (2003) 32 at paras. 207 and 208.

207. ...The Committee is...concerned at the decreasing budget allocation to education, gender and regional disparities in enrolment in schools, absenteeism, the high dropout (especially among girls) and repeat rates, the poor quality of education, the insufficient number of trained teachers, insufficient schools and classrooms, the lack of relevant learning material and the limited access to pre-school education, notably in rural areas...

208. The Committee recommends that the State party:

...

(b) Progressively ensure that girls and boys, as well as children from urban, rural and least developed areas, have equal access to educational opportunities;

(c) Take the necessary measures to improve the quality of education and to improve internal efficiency in the management of education, notably by decreasing the dropout rate, especially for girls;

...

- Sri Lanka, CRC, CRC/C/132 (2003) 48 at paras. 252 and 253.

252. The Committee notes with concern that societal discrimination persists against vulnerable groups of children, including children with disabilities, adopted children, children displaced by conflict, children infected with and affected by HIV/AIDS, and children of ethnic and religious groups.

253. The Committee recommends that the State party amend its legislation and increase its efforts to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

- Solomon Islands, CRC, CRC/C/132 (2003) 58 at paras. 304 and 305.

304. The Committee is concerned that:

(a) There continues to be widespread discrimination against women and girls and that girls are underrepresented in schools;

(b) The principle of non-discrimination is not adequately implemented for children of some

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ethnic minorities and of economically disadvantaged households, children living in remote islands, children born out of wedlock and children with disabilities, especially with regard to their access to adequate health care and educational facilities.

305. The Committee recommends that the State party monitor the situation of children, in particular those belonging to the above-mentioned vulnerable groups, who are exposed to discrimination and develop, on the basis of the results of this monitoring, comprehensive strategies containing specific and well-targeted actions aimed at eliminating all forms of discrimination.

...

- Libyan Arab Jamahiriya, CRC, CRC/C/132 (2003) 74 at paras. 352, 353, 368, 369 and 382-385.

352. The Committee notes the adoption of the Child Protection Act No. 5 of 1997, in addition to the numerous other laws and decisions that have been adopted with a view to improving the welfare of children. It is concerned, however, that many measures reflect a predominantly welfare- rather than rights-based approach. The Committee reiterates its concern that several rights contained in the Convention (e.g. non-discrimination, the best interests of the child, rights concerning juvenile justice) are not adequately reflected in the laws, including personal status laws.

353. The Committee encourages the State party:

(a) To ensure that its laws, administrative regulations and legal procedure rules conform to the provisions and principles of the Convention and to other international human right standards; in this respect, it encourages the State party to take the necessary steps to adopt a single “integrated” law on children’s rights in order to provide a comprehensive legal foundation at the domestic level for the implementation of Convention rights;

(b) To take all possible measures to reconcile the interpretation of religious laws with fundamental human rights;

(c) To ensure that laws are based on a child-rights approach, are sufficiently clear and precise, are published, and are accessible to the public.

...

368. The Committee is concerned that, contrary to article 2 of the Convention, discrimination, both direct and indirect, against certain children, their parents or legal guardians, persists in the State party, particularly with respect to birth out of wedlock.

369. The Committee recommends that the State party:

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(a) Take effective measures, including enacting or rescinding legislation where necessary, to ensure that all children enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes towards birth outside marriage and to include religious leaders in such efforts.

...

382. The Committee notes the establishment of the National Committee for AIDS Prevention in 1987 and other measures to address the problem of HIV/AIDS, but is concerned at the relatively high number of children afflicted by HIV/AIDS in Benghazi...

383. The Committee recommends that the State party:

...

(b) Provide the special AIDS clinic in the children's hospital with all the necessary human and financial resources to treat the child victims of HIV/AIDS in the best possible way, avoiding any form of discrimination;

...

384. The Committee notes the efforts of the State party to include some principles and provisions of the Convention in the school curricula, but is concerned that the aims of education outlined in article 29 of the Convention, including the development of and respect for human rights, tolerance, and equality of the sexes and religious and ethnic minorities, are not explicitly part of the curricula...

385. The Committee recommends that the State party:

(a) Taking into account the Committee's general comment No. 1 on the aims of education, include human rights education, including children's rights, in the curricula of all primary and secondary schools, particularly with respect to the development of and respect for human rights, tolerance, and equality of the sexes and religious and ethnic minorities; religious leaders should be mobilized in this regard;

...

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 417, 418, 442 and 443.

417. The Committee is concerned that:

(a) The Constitution of Jamaica does not fully reflect the provisions of article 2 of the Convention and, in particular, does not specifically prohibit discrimination on the grounds of the child's or his or her parents' or legal guardian's language, religion, ethnic or social origin, property, disability, birth or other status;

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(b) With reference, *inter alia*, to the concerns of the Committee on the Elimination of Racial Discrimination (CERD/C/60/CO/6), the State party does not pay enough attention to the problems of racial discrimination within the State party;

(c) Children with disabilities are *de facto* discriminated against by the absence of specific guarantees for their integration into regular schools and are hindered, *inter alia*, by limited access to facilities;

(d) Children who are known to be infected with HIV/AIDS are discriminated against at school by some teachers.

418. The Committee recommends that the State party amend its legislation, including the Constitution, to ensure that it fully corresponds to the provisions of article 2 of the Convention and to ensure the full implementation of non-discrimination provisions, giving special attention to children infected with or affected by HIV/AIDS, children with disabilities, equality between boys and girls and racial discrimination.

...

442. The Committee welcomes the State party's progress in the field of education, but remains concerned about:

...

(c) The equality of access to education, in particular concerning boys and children from poor families;

...

443. The Committee recommends that the State party, in the light of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education):

...

(c) Seek to further implement participatory measures to encourage children, especially boys, to stay in school during the period of compulsory education; take further measures to facilitate the accessibility to education of children from all groups in society, particularly children from poor backgrounds, including reviewing the system of school fees; and make every effort to raise awareness in society of the importance of education for all children;

...

- Morocco, CRC, CRC/C/132 (2003) 100 at paras. 479 and 480.

479. The Committee welcomes the efforts undertaken to fight against gender discrimination within the framework of a national plan of action, but remains concerned by the persistence of, in particular, direct and indirect discrimination against girls and children born out of wedlock, including in areas relating to personal status (e.g. inheritance, custody and guardianship), which is incompatible with article 2 of the Convention. The Committee is further concerned that a child born of a Moroccan mother and a non-national father cannot

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acquire Moroccan citizenship by birth. The Committee is concerned at the persistent disparities between different regions and between rural and urban areas.

480. In accordance with article 2 of the Convention, the Committee recommends that the State party continue and strengthen its measures, including enacting or rescinding civil and criminal legislation where necessary, to prevent and eliminate discrimination on the grounds of sex and birth in all fields of civil, economic, political, social and cultural life. The Committee further recommends that the State party take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family, and train members of the legal profession, especially the judiciary, to be gender-sensitive. Religious leaders should be mobilized to support such efforts.

- Syrian Arab Republic, CRC, CRC/C/132 (2003) 116 at paras. 535, 536, 551, 552, 558 and 559.

535. The Committee notes that the State party has undertaken a commitment to review national legislation *vis-à-vis* the Convention. It further notes various recent and proposed legislative measures with respect to child rights (e.g. amendments to the Personal Status Code and higher penalties sought for infringements of the Compulsory Education Act), but the Committee is concerned that they do not sufficiently reflect a comprehensive human rights-based approach to the implementation of the Convention. Moreover, it is concerned that in the area of personal status matters, the application of different laws (e.g. 1953 Law of Personal Status) governing different religious communities (i.e. Muslims, Druze, Christians and Jews), and consequently recourse to the different court systems (i.e. Shariah, *madhabi*, and *ruhj* courts), may lead to discrimination in the enjoyment of children's rights.

536. The Committee recommends that the State party:

- (a) Expedite the comprehensive review of its law, administrative regulations and legal procedural rules to ensure that they conform to international human rights standards, including the Convention;
- (b) Take all possible measures to reconcile the interpretation of religious laws with fundamental human rights;
- (c) Ensure that laws are sufficiently clear and precise, are published, and are accessible to the public.

...

551. The Committee is concerned that both direct and indirect discrimination against the

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child or his or her parents or legal guardians persists, contrary to article 2 of the Convention, particularly with respect to:

- (a) Girls, children born out of wedlock and children belonging to minorities;
- (b) Disparities in access to health and educational services between rural and urban areas, and particularly that the rural north and north-east of the country lag behind in social indicators.

552. The Committee recommends that the State party:

- (a) Take effective measures, for example by enacting or rescinding legislation where necessary, and implementing disparity-reduction programmes to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;
- (b) Carry out comprehensive public education campaigns to prevent and combat negative societal attitudes in this regard;
- (c) Take due regard of general comment No. 28 of the Human Rights Committee on the equality of rights between men and women;
- (d) Mobilize religious leaders to support such efforts.

...

558. The Committee is concerned that article 3 of the Syrian Nationality Act No. 276 of 1969 does not automatically grant citizenship to children of Syrian women married to non-nationals as it does where the father is Syrian. Moreover, the Committee regrets that children of Syrian-born Kurdish parents who are stateless and have no other nationality at birth continue to be denied Syrian nationality and are subject to discrimination, contrary to articles 2 and 7 of the Convention.

559. The Committee re-emphasizes that articles 2 and 7 of the Convention require that all children within the State party's jurisdiction have the right to be registered and acquire a nationality, irrespective of the child's or his or her parents' or legal guardians' sex, race, religion or ethnic origin. The Committee recommends that the State party:

- (a) Ensure the right of a child to a nationality without discrimination on the basis of either parent's sex;
- (b) Take urgent steps to guarantee children of Syrian-born Kurdish parents the right to acquire Syrian nationality;



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(c) Ratify the Convention relating to the Status of Stateless Persons of 1954, and the Convention on the Reduction of Statelessness of 1961.

- Kazakhstan, CRC, CRC/C/132 (2003) 129 at paras. 635, 636 and 642-645.

635. The Committee is concerned at the prevailing poor situation of children with disabilities. In particular it is concerned:

(a) That in the Constitution, disability is not included in the list of grounds for protection from discrimination;

...

(e) At the societal discrimination faced by children with disabilities;

...

(h) At the limited inclusion of, and access by, children with disabilities to various areas of daily life, in particular with regard to the education system.

636. In light of article 23 of the Convention, the Committee recommends that the State party:

...

(c) Conduct public-awareness campaigns to raise awareness of the situation and the rights of children with disabilities and to counter negative attitudes which hamper the implementation of these rights. The promotion of their rights could further be advanced through, for instance, support to parents' organizations and community-based services and a sustained programme to move children from institutions to a good family environment;

...

642. The Committee welcomes the efforts taken by the State party to improve the education system with the introduction of the Education Act 1999 which includes such aims as ensuring compulsory secondary education for all children of school age, providing free textbooks to vulnerable children and compulsory pre-school attendance. The Committee remains concerned at the many difficulties education is facing, *inter alia*:

(a) The increase in the cost of education which limits access by children from economically disadvantaged households and rural areas;

...

(d) Important regional disparities in the number of educational establishments and in the quality of education, with rural areas being at particular disadvantage;

...

643. The Committee recommends that the State party:

(a) Ensure the availability of free primary education and accessibility for all children in the State party, giving particular attention to children in rural communities, children from

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minorities, including repatriates and refugees or asylum-seekers, children from disadvantaged groups and those who need special attention, and high-quality education, including in children's own languages;

...

644. The Committee welcomes the information provided on the new bill on refugees and notes the efforts of the State party relating to the repatriation of ethnic Kazakhs in this regard; however, the Committee is concerned that:

...

(b) Problems exist in accessing education for children who have not been granted refugee status and do not have other documents that are required;

...

(d) Unaccompanied minors are not accorded the same treatment as other children deprived of their family environment.

645. The Committee recommends that the State party:

(a) Ensure that the (draft) law conforms to article 22 of the Convention and other international standards on the protection of and assistance to refugee children, expedite its promulgation and ensure its effective implementation;

...

(c) Develop a procedure to attend to the specific needs and situation of unaccompanied child refugees and, in cases where no parents or other family members can be found, accord the child the same protection and care and social services as any other child permanently or temporarily deprived of his or her family environment receives;

(d) Consider measures through which asylum-seeking and refugee children can be granted equal access to services, in particular education, irrespective of who they are and where they live;

...

- San Marino, CRC, CRC/C/133 (2003) 9 at paras. 34 and 35.

34. While noting that discrimination is prohibited under the Declaration of Citizens' Rights and of the Fundamental Principles of the San Marino Constitutional Order, the Committee remains concerned that no criminal law provisions exist to combat racism and discrimination.

35. The Committee recommends that the State party:

(a) Make greater efforts to ensure that all children within its jurisdiction enjoy all rights set out in the Convention without discrimination, in accordance with article 2;

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(b) Adopt and implement provisions in order to combat racism and discrimination;

(c) Ratify the Convention on the Elimination of All Forms of Discrimination against Women.

- Canada, CRC, CRC/C/133 (2003) 14 at paras. 66-68, 71, 72, 108 and 109.

66. The Committee welcomes the information provided in the report relating to the Government's contribution to the fulfilment of the rights of the child through allocating resources to a number of initiatives and programmes, notably the National Child Benefit (NCB) system aimed at improving the well-being of Canadian children living at risk by reducing and preventing child poverty. However, the Committee reiterates concerns expressed by the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.31, para. 22) and the Human Rights Committee (CCPR/C/79/Add.105, paras. 18, 20) relating to modalities of implementing NCB in some provinces.

67. The Committee invites the State party to use its regular evaluation of the impact of the National Child Benefit system and its implementation in the provinces and territories to review the system with a view to eliminating any negative or discriminatory effects it may have on certain groups of children.

68. The Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations so as to ensure implementation of the economic, social and cultural rights of children, in particular those belonging to marginalized and economically disadvantaged groups, "to the maximum extent of ... available resources"...The Committee encourages the State party to continue to take measures to prevent children from being disproportionately affected by future economic changes and to continue its support to non-governmental organizations working on the dissemination of the Convention.

...

71. The Committee notes positive developments with respect to measures to promote and protect cultural diversity and specific legislative measures regarding discrimination, including the Multiculturalism Act, in particular as it bears upon the residential school system, the Employment Equity Act, and the amendment to the Criminal Code introducing racial discrimination as an aggravating circumstance (see also the 2002 annual report of the Committee on the Elimination of Racial Discrimination (CERD) (A/57/18), paras. 315-343). However, the Committee joins CERD in its concerns, in particular as they relate to children, such as those relating to the Indian Act, to the extent of violence against and deaths in custody of Aboriginals and people of African and Asian descent, to existing patterns of discrimination and expressions of prejudice in the media and to the exclusion from the school system of children of migrants with no status, and remains concerned at the

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persistence of *de facto* discrimination against certain groups of children (see also *ibid.*, paras. 332, 333, 335 and 337).

72. The Committee recommends that the State party continue to strengthen its legislative efforts to fully integrate the right to non-discrimination (article 2 of the Convention) in all relevant legislation concerning children, and that this right be effectively applied in all political, judicial and administrative decisions and in projects, programmes and services that have an impact on all children, in particular children belonging to minority and other vulnerable groups such as children with disabilities and Aboriginal children. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes and practices...

...

108. The Committee welcomes the Statement of Reconciliation made by the Federal Government expressing Canada's profound regret for historic injustices committed against Aboriginal people, in particular within the residential school system. It also notes the priority accorded by the Government to improving the lives of Aboriginal people across Canada and by the numerous initiatives, provided for in the federal budget, that have been embarked upon since the consideration of the initial report. However, the Committee is concerned that Aboriginal children continue to experience many problems, including discrimination in several areas, with much greater frequency and severity than their non-Aboriginal peers.

109. The Committee urges the Government to pursue its efforts to address the gap in life chances between Aboriginal and non-Aboriginal children. In this regard, it reiterates in particular the observations and recommendations with respect to land and resource allocation made by United Nations human rights treaty bodies, such as the Human Rights Committee (CCPR/C/79/Add.105, para. 8), the Committee on the Elimination of Racial Discrimination (A/57/18, para. 330) and the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.31, para. 18). The Committee equally notes the recommendations of the Royal Commission on Aboriginal Peoples and encourages the State party to ensure appropriate follow-up.

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 195, 196, 210 and 211.

195. While acknowledging the actions taken to address discrimination against girls in education, the Committee is concerned at the persistence of discriminatory social attitudes and discrimination against minority children and against girls, early and forced marriages, low school enrolment and high dropout rates, honour killings, mutilation and violence. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and the social discrimination experienced by children belonging to the most vulnerable groups,

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including children with disabilities, children belonging to a religious or other minority group and children living in rural areas.

196. The Committee recommends that the State party:

(a) Make greater efforts to ensure that, in accordance with article 2, all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly girl children, children belonging to a religious or other minority group, children with disabilities and other vulnerable groups of children;

(b) Target social services at children belonging to the most vulnerable groups.

...

210. The Committee is concerned that the State party's legislation uses age limits, instead of the best interests of the child, as criteria in determining custody in case of divorce. Such permission, in addition to implying that siblings can be separated, discriminates between the sexes and fails to acknowledge the child's right to express her/his views and have them taken into account.

211. The Committee recommends that the State party review its current legislation concerning custody in order to ensure that the principle of the best interests of the child is a primary consideration, in order to prevent siblings being separated only because of sex and/or age, and in order to ensure that children's views are heard and duly taken into consideration in custody decisions, in accordance with the principles and provisions of the Convention.

- Madagascar, CRC, CRC/C/133 (2003) 56 at paras. 281 and 282.

281. The Committee notes that the murder or rejection of children thought to be "born on an unlucky day" is beginning to disappear, but remains deeply concerned that such murders still occur and at the rejection or abandonment of twins in the Mananjary region.

282. In light of article 6 of the Convention, the Committee recommends that the State party take all necessary measures to stop these practices, including through awareness-raising in the society at large, which should involve traditional leaders. In addition, The Committee recommends that the State party take all necessary measures to ensure that the institutionalization of twins is a measure of last resort.

- Brunei Darussalam, CRC, CRC/C/133 (2003) 73 at paras. 350 and 351.

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350. The Committee is concerned at the disparities in the enjoyment of all rights covered by the Convention by children practising religions other than Islam and by non-national children. The Committee is further concerned that race is indicated on identity cards, as this may lead to *de facto* discrimination.

351. The Committee recommends that the State party 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.

- Singapore, CRC, CRC/C/133 (2003) 84 at paras. 406, 407, 413 and 414.

406. The Committee is concerned that the principle of non-discrimination is restricted to citizens, that the Constitution does not expressly prohibit discrimination against women or persons with disabilities, and that societal discrimination against girls, children with disabilities and non-residents persists.

407. The Committee recommends that the State party amend its legislation to prohibit discrimination on the basis of gender or disability and ensure that it is applicable to all persons in the State party. The Committee further recommends that the State party undertake all necessary proactive measures to combat societal discrimination, in particular against girls, children with disabilities and non-residents, through, *inter alia*, public education and awareness campaigns.

...

413. The Committee is concerned that elements of the State party's immigration and citizenship laws do not fully conform to articles 2 and 7 of the Convention. In particular, the Committee is concerned that Singaporean citizenship is not acquired automatically by children of a Singaporean mother and a foreign father born overseas, and that in such cases the mother is obliged to apply for "citizenship by registration".

414. The Committee recommends that the State party review its citizenship and immigration laws and undertake the necessary reforms to ensure that they respect, as far as possible, the right of the child to nationality and identity, without discrimination.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 460, 461, 511 and 512.

460. The Committee welcomes the measures undertaken by the State party to enhance the situation of girls, especially in relation to education. It remains deeply concerned about persistent discriminatory attitudes towards girls, which are deeply rooted in traditional stereotypes and limit access to resources and services. The Committee is also concerned about discrimination against children with disabilities, street children, child victims of sexual

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abuse and exploitation, tribal children and other vulnerable groups.

461. The Committee recommends that the State party take adequate measures to ensure implementation of the principle of non-discrimination in full compliance with article 2 of the Convention, and strengthen its proactive and comprehensive efforts to eliminate discrimination on any grounds and against all vulnerable groups. The Committee also recommends that the State party undertake an education campaign for boys and men on gender issues and sex discrimination.

...

511. The Committee is deeply concerned about the poor situation of children of the Chittagong Hill Tracts, and other religious, national and ethnic minorities, tribal groups or similar marginalized groups and the lack of respect for their rights, including the rights to food, to health care, to education and to survival and development, to enjoy their own culture and to be protected from discrimination.

512. The Committee urges the State party to gather additional information on all minorities or similar marginalized groups of the population, and to elaborate policies and programmes to ensure the implementation of their rights without discrimination, taking into account the Committee's recommendations adopted at its day of general discussion on the theme "The rights of indigenous children".

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 33-35, 40, 41, 50, 51, 71, 72, 81, 83, 110 and 111.

33. The Committee welcomes the important legislative reform undertaken which will provide for the foundations of a State based on democracy and human rights, in particular child rights. The Committee also shares the concern expressed by the State party that the ratification of the Convention is not backed by an Act of Parliament.

34. The Committee encourages the State party to consider the possibility of supporting the ratification of the Convention by an Act of Parliament.

35. The Committee also encourages the State party to consider ratifying other human rights instruments, such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as the Rome Statute of the International Criminal Court, and to do so with the support of an Act of Parliament.

...

40. The Committee welcomes the establishment of the Indonesian Commission for Child Protection (Komisi Perlindungan Anak Indonesia) and of the National Commission on the Elimination of the Worst Forms of Child Labour. The Committee is nonetheless concerned that the insufficient guarantees of independence and impartiality of the National Commission

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on Human Rights (Komnas HAM), which hinder it from carrying out its mandate fully, might also impair the work of the National Commission for Child Protection.

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

...

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

...

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

...

50. The Committee notes with concern that societal discrimination persists against girls and against other vulnerable groups of children, in particular children living in poverty, children born out of wedlock, children displaced by conflict and minority children.

51. The Committee urges the State party to conduct an in-depth review of all its legislation with a view to fully guaranteeing the application of the principle of non-discrimination in domestic laws and compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

71. The Committee is concerned that the current adoption legislation discriminates between groups of different ethnic origins, does not provide sufficient safeguards against abusive practices, including trafficking of children, and does not take sufficiently into account the principle of the best interest of the child.

72. The Committee recommends that the State party:

(a) Amend the current legislation on adoption so as to ensure that it conforms to articles 2 and 3 of the Convention;

(b) Take the necessary measures to monitor and supervise effectively the system of adoption of children in accordance with the principle of the best interest of the child;

...

81. ...[T]he Committee is very concerned:



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(a) That education is not free, even at primary level, and that higher education is not affordable for many families;

...

(c) That married children and pregnant teenagers do not generally continue their education;

...

83. The Committee recommends that the State party:

(a) Strengthen measures to achieve universal and free primary education;

(b) Progressively ensure that girls and boys, from urban, rural and least developed areas, have equal access to educational opportunities, without any financial obstacles;

...

(e) Provide education opportunities for married children and pregnant teenagers;

...

110. The Committee welcomes the adoption of the Human Rights Act of 1999, which recognizes the right to freedom of religion and worship of everyone. However, the Committee is still concerned that the rights of children belonging to a minority or ethnic group are not recognized by the Act and that these children also do not have adequate access to education, health and social services.

111. The Committee recommends the further implementation of the Community Social Welfare Programme and the further development of such programmes with special reference to children belonging to ethnic groups.

- Guyana, CRC, CRC/C/137 (2004) 26 at paras. 137, 138, 172 and 173.

137. The Committee is concerned that, as noted by the State party, societal discrimination persists against girls and vulnerable groups of children, including children living in poverty, Amerindian children and children with disabilities, and that the Constitution does not prohibit discrimination on the grounds of disability.

138. The Committee recommends that the State party increase its efforts to adopt appropriate legislation, to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

172. The Committee is concerned at the living conditions of Amerindian children with regard to the full enjoyment of all rights enshrined in the Convention, especially the degradation of their natural environment and the fact that they are not taught in their own languages.

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173. In light of articles 2 and 30 of the Convention and the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in September 2003, the Committee recommends that the State party take all necessary measures to protect Amerindian children against discrimination and to guarantee their enjoyment of all the rights recognized in the Convention. The Committee also recommends that the current revision of the Amerindian Act reflect the provisions and principles of the Convention.

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 200, 201, 220, 221, 231 and 232.

200. Noting that discrimination is prohibited under the law, the Committee remains concerned at persistent *de facto* discrimination on the grounds of gender as well as at discrepancies in the enjoyment of rights in relation to certain vulnerable groups, including children with disabilities, refugee children, children living in rural areas, children from poor families, street children, and children living in institutions.

201. The Committee encourages the State party to ensure the effective enforcement of protective laws, to undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, and to sensitize society to the situation and needs of children within the society and particularly within the family...

...

220. The Committee remains concerned at the prevailing poor situation of children with disabilities, who are often institutionalized. Furthermore, while noting the measures taken to enable children with disabilities to receive instruction within regular schools, the Committee regrets that access by children with disabilities to mainstream and special education remains limited.

221. Reiterating its previous recommendations, and in light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee encourages the State party to make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes. The Committee also encourages the State party to strengthen ongoing efforts to integrate children with disabilities into mainstream education. The Committee also reiterates its recommendation that awareness-raising campaigns focusing on prevention, inclusive education, family care and the promotion of the rights of children with disabilities be undertaken, and that adequate training be made available to persons working with these children.

...

231. ...The Committee reiterates...its concern that low wages have forced teachers to offer

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private tuition, creating a two-tier system of education... Moreover, in line with the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/61/CO/1), the Committee expresses its concern about the inadequate access by minority children to education in their mother tongue.

232. The Committee recommends that the State party:

...

(c) Continue efforts to remove obstacles to school attendance at all levels in order to keep all children in school and provide programmes that bring dropout students back in school or offer them other appropriate educational/vocational programmes;

...

(e) Ensure, whenever possible, that children belonging to minority groups have access to education in their mother tongue;

...

- Germany, CRC, CRC/C/137 (2004) 51 at paras. 254, 274, 275, 305 and 306.

254. The Committee welcomes the adoption of:

...

(b) The amendment of the Law on Family Matters (*Reform zum Kindschaftsrecht*) of 16 December 1997, which came into force on 1 July 1998 and which suppresses discrimination between children born in or out of wedlock regarding custody and visitation rights;

...

274. While acknowledging the prohibition of discrimination in the Basic Law (art. 3), the Committee is concerned at the *de facto* discrimination against foreign children and at incidents of racial hatred and xenophobia that have a negative effect on the development of children. The Committee is also concerned that some of the Land disparities in practices and services provided and in the enjoyment of rights by children may amount to discrimination.

275. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against foreign children or children belonging to minorities.

...

305. In addition to its concerns related to the declaration made by the State party on article 22 of the Convention, the Committee remains concerned that:

(a) Refugee children between 16 and 18 years of age do not benefit from the rights contained in the Youth Welfare Act;

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(b) Roma children and other children belonging to ethnic minorities may be forcibly expelled to countries their families have been fleeing;

...

306. In light of article 7, 22 and other relevant provisions of the Convention, the Committee recommends that the State party take all necessary measures:

(a) To fully apply the provisions of the Youth Welfare Act to all refugee children below the age of 18 years;

(b) To review its legislation and policies regarding Roma children and other children belonging to ethnic minorities seeking asylum in the State party;

...

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 345, 346, 350, 351, 360 and 361.

345. The Committee notes the significant efforts made by the State party to address racial discrimination, which have also been recognized in detail by the Committee on the Elimination of Racial Discrimination in its concluding observations (CERD/C/304/Add.104) on the thirteenth and fourteenth periodic reports of the Netherlands. However, the Committee is concerned that societal prejudices and discrimination persist in society, in particular, against children of ethnic minorities and refugee and asylum-seeking children, and that in some localities and schools in the Netherlands there is *de facto* segregation between ethnically Dutch families and families of foreign origin. In Aruba, the Committee is concerned about discrimination against children of migrant families, in particular, in accessing services and the fact that disability is not considered a ground for discrimination as defined by the Constitution.

346. The Committee recommends that the State party increase its efforts to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups. The Committee requests the State party to pay particular attention to eliminating negative stereotype of refugee and asylum-seeking children in the Netherlands and to address the root causes of *de facto* segregation in schools and localities. It further recommends that the State party ensure that children of migrant families in Aruba have equal access to education, health and other services and that there is legislation to protect children with disabilities against discrimination.

...

350. The Committee welcomes the establishment of a National Youth Council both in the Netherlands and Aruba, and the financial support given to those Councils by the State party.

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The Committee also notes with satisfaction the survey entitled “Join the discussion about your rights” of young people aged 12-18 in the Netherlands in 2002, which illustrated significant awareness of their rights and allowed youth to express concerns about their rights. However, the Committee is concerned that, in the Netherlands, organizations made up of young people of foreign origin have not fully enjoyed their right to express their views freely and to have them taken into account.

351. The Committee recommends that the State party, in the Netherlands, strengthen its support of the National Youth Council and youth organizations, and intensify its support of organizations made up of young people of foreign origin and integrate them into networks of dialogue and participation...

...

360. The Committee welcomes the continuing efforts to integrate children with disabilities into the mainstream education system, in particular in the Netherlands. However, it is concerned that children with disabilities in the Netherlands spend a significant amount of time waiting to access services and programmes. In addition, the Committee is concerned that in Aruba, children with disabilities are not fully integrated into society.

361. In keeping with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993), the Committee recommends that the State party strengthen its efforts to integrate children with disabilities into mainstream education and everyday life by:

...

(b) Expanding education possibilities for children with disabilities in Aruba, including those with learning disabilities, at the secondary school level;

(c) Improving the physical accessibility of mainstream schools, leisure and recreational facilities, and other public buildings and spaces in Aruba;

(d) Undertaking awareness-raising campaigns to address prejudicial attitudes to children with disabilities, and promoting their full integration into society.

- India, CRC, CRC/C/137 (2004) 75 at paras. 387, 388, 403-406, 409, 410, 432, 433, 459 and 460.

387. The Committee welcomes the fact that the Convention can be invoked before the courts and that the Supreme Court has adopted various decisions based on the Convention; however, the Committee remains concerned that domestic legislation, and in particular religious and personal laws which govern family matters, are not yet fully in conformity with the provisions and principles of the Convention.

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388. In light of its previous recommendations (CRC/C/15/Add.115, para. 11), the Committee recommends that the State party:

(a) Scrutinize carefully existing legislative and other measures, including religious and personal laws, both at the federal and state levels, with a view to ensuring that the provisions and principles of the Convention are implemented throughout the State party;

...

403. In light of article 2 of the Convention, the Committee is deeply concerned at the widely disparate levels of enjoyment of the rights in the Convention by girls, children living in certain states, rural areas and slums, and children belonging to certain castes and tribal and indigenous groups.

404. The Committee recommends that concerted efforts at all levels be taken to address social inequalities by reviewing and reorienting policies, including increasing budgetary allocations for programmes targeting the most vulnerable groups, and that technical assistance be sought from, among others, UNICEF.

405. The Committee is deeply concerned at persistent and significant social discrimination against children belonging to Scheduled Castes and Tribes and other tribal groups, reflected, *inter alia*, by the many violations of the 1989 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the low number of such violations dealt with by the courts, and the fact that a majority of the states have failed to set up the special courts provided for under this Act.

406. The Committee recommends that the State party, in accordance with article 17 of its Constitution and article 2 of the Convention, take all necessary steps to abolish the discriminatory practice of “untouchability”, prevent caste- and tribe-motivated abuse, and prosecute State and private actors who are responsible for such practices or abuses. Moreover, in compliance with article 46 of the Constitution, the State party is encouraged to implement, *inter alia*, special measures to advance and protect these groups. The Committee recommends the full implementation of the 1989 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the 1995 Scheduled Castes and Scheduled Tribes Rules (Prevention of Atrocities) and the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The Committee encourages the State party to continue its efforts to carry out comprehensive public education campaigns to prevent and combat caste-based discrimination with a view to changing social attitudes, by involving, *inter alia*, religious leaders.

...

409. While welcoming the special temporary programmes and other activities to improve the enjoyment of rights by girls and vulnerable groups such as children belonging to Scheduled Castes and Tribes, the Committee expresses its concern at the possibility that other children in situations similar to that of those groups are not receiving the same benefits.

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410. The Committee recommends that all existing and future special temporary programmes be provided with specified goals and timetables, in order to evaluate their success and justify their continuation, expansion and dissemination. The Committee further recommends that the State party start to develop special programmes for the allocation of educational and other benefits that are based on the child's needs and rights rather than on the basis of sex, caste or tribe, or any other characteristic that may result in unjustifiable discrimination.

...

432. The Committee welcomes the adoption of the National AIDS Prevention and Control Policy, 2001, aiming at achieving no new infections by 2007. It also welcomes the decision to provide antiretroviral drugs to children and adults free of charge, but remains concerned at the rising number of children infected and/or affected by HIV/AIDS. It further expresses its concern at the discrimination experienced by these children in society and in the educational system.

433. The Committee recommends that the State party:

...

(c) Strengthen its efforts to raise awareness about HIV/AIDS among adolescents, particularly those belonging to vulnerable groups, and among the population at large, notably in order to reduce discrimination against children infected and/or affected by HIV/AIDS;

...

459. The Committee is concerned at the situation of children belonging to minorities, including to the Primitive Tribal Groups, and at their limited access to social services, including health care, immunization and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

460. In addition to its recommendation in paragraph 406, and in line with the recommendations made at its day of general discussion on the rights of indigenous children (CRC/C/133, para. 624), the Committee recommends that the State party implement and/or give the necessary follow-up to the recommendation made by the Standing Committee on Labour and Welfare on the Development of Primitive Tribal Groups (2002).

- Papua New Guinea, CRC, CRC/C/137 (2004) 94 at paras. 489 and 490.

489. The Committee is concerned that, as noted by the State party, societal discrimination persists against girls and women and vulnerable groups of children, such as children with disabilities, children living in poverty, children born out of wedlock, adopted children and children of mixed parentage, and that the Constitution does not prohibit discrimination on the grounds of disability.

490. The Committee recommends that the State party increase its efforts to ensure

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implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds, in particular against girls and all vulnerable groups.

- Slovenia, CRC, CRC/C/137 (2004) 104 at paras. 553, 554, 573, 574, 585, 586, 597 and 598.

553. While taking note of the various programmes aiming at improving the position of the Roma, the Committee is concerned that prejudices and discrimination against the Roma and other minorities in the State party, including Serbs, Bosniacs, Albanians and Croats, remain widespread. The Committee also notes with concern that Roma children continue to be among the most vulnerable groups in Slovenia and that some programmes aiming at uplifting Roma communities make a distinction between “autochthonous” and “non-autochthonous” Roma and exclude the latter group. Furthermore, while welcoming measures taken to facilitate the integration of Roma children into regular primary schools, the Committee is concerned at the high number of Roma children attending classes for children with special needs.

554. The Committee recommends that the State party intensify its efforts to combat negative stereotypes of and discrimination against Roma children and children belonging to other minorities in the State party. Furthermore, the Committee recommends that the State party take further measures to improve the standard of living of Roma children and ensure that all these children are integrated into mainstream education, so that special assistance and support for Roma children can be provided at regular classes. It also recommends that the State party end the distinction between autochthonous and non-autochthonous Roma.

...

573. The Committee notes with concern that implementing measures based on the Law on Guiding Children with Special Needs, adopted in 2000, have still not been adopted and that, as a consequence, children with disabilities who are not enrolled in special institutions cannot take advantage of programmes provided for in the law. It is also concerned about the low enrolment of female children with disabilities in school.

574. 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 at its day of general discussion on “The rights of children with disabilities” (CRC/C/69, paras. 310-339), the Committee encourages the State party to ensure the expeditious adoption of implementing measures concerning the Law on Guiding Children with Special Needs, and to address the low enrolment of female children with disabilities in school.

...

585. The Committee notes with satisfaction that children with temporary refugee status are



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able to enrol in primary and secondary education under the same conditions as Slovene children. It notes with concern, however, that the extent of health-care services available to these children has still to be regulated.

586. The Committee encourages the State party to take further measures to ensure that asylum-seeking and refugee children are granted equal access to services, including health care.

...

597. The Committee is concerned that children belonging to some ethnic groups in Slovenia, such as Bosniacs, Croats, Serbs, Albanians and others, do not enjoy fully some of their cultural rights.

598. The Committee recommends that the State continue to strengthen and expand efforts to ensure that children from all ethnic groups fully enjoy their rights, in particular those mentioned in article 30 of the Convention.

- Japan, CRC, CRC/C/137 (2004) 116 at paras. 626, 627, 651 and 652.

626. The Committee is concerned that legislation discriminates against children born out of wedlock and that societal discrimination persists against girls, children with disabilities, Amerasian, Korean, Buraku and Ainu children and other minority groups, and children of migrant workers.

627. The Committee recommends that the State party amend its legislation in order to eliminate any discrimination against children born out of wedlock, in particular, with regard to inheritance and citizenship rights and birth registration, as well as discriminatory terminology such as “illegitimate” from legislation and regulations. The Committee recommends that the State party undertake all necessary proactive measures to combat societal discrimination and ensure access to basic services, in particular, for girls, children with disabilities, Amerasians, Koreans, Buraka, Ainu and other minorities, children of migrant workers and refugee and asylum-seeking children, through, *inter alia*, public education and awareness campaigns.

...

651. The Committee notes the State party’s efforts to reform the education system and bring it into greater conformity with the Convention; however, it is concerned that:

...

(b) Excessive competition for entry into higher education means that public school education must be supplemented by private tutoring, which is not affordable for children from poorer families;

...

(d) Although eligibility criteria have been broadened for graduates from foreign schools in

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Japan applying to university, some continue to be denied access to higher education;

...

(f) Children of minorities have very limited opportunities for education in their own language;

(g) Despite review procedures, some history textbooks are incomplete or one-sided.

652. The Committee recommends that the State party:

(a) Taking into account the views of students, parents and relevant non-governmental organizations, review the curriculum with a view to reducing the competitiveness of the school system while maintaining a high level of quality of education so as to ensure that all students graduating from high school have equal access to higher education;

...

(d) Expand opportunities for children from minority groups to enjoy their own culture, profess or practise their own religion and use their own language;

(e) Strengthen review procedures for textbooks to ensure that they present a balanced view.

- El Salvador, CRC, CRC/C/140 (2004) 8 at paras. 25, 47 and 48.

25. The Committee welcomes a number of positive developments in the reporting period, including:

(a) The entry into force, in 1994, of the Family Court Procedure Act and the Family Code, and the abrogation of the discriminatory distinction between legitimate, illegitimate, natural and incestuous children;

...

47. The Committee is concerned at the persistent discrimination faced in the State party by indigenous children, children with disabilities and girls.

48. In light of article 2 of the Convention, the Committee recommends that the State party intensify its efforts to prevent and eliminate all forms of *de facto* discrimination against indigenous children, children with disabilities and girls.

- Panama, CRC, CRC/C/140 (2004) 23 at paras. 156 and 157.

156. The Committee, acknowledging the adoption of the new legislation creating three indigenous *comarcas*, remains concerned that lack of economic resources is an obstacle to developing specific programmes on education, health and social services for indigenous

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children. The Committee is also concerned about the preservation of the identity of indigenous children since bilingual education remains a challenge in indigenous areas and education lacks resources of all kinds.

157. The Committee recommends that the State party take all necessary measures to ensure that indigenous children enjoy all their rights without discrimination, including equal access to culturally appropriate services including health, education, social services, housing, potable water and sanitation. The Committee also recommends that the State party, with the full participation of indigenous communities and children, develop public awareness campaigns, including through the mass media, to combat negative attitudes and misperceptions about indigenous children. The Committee also recommends that the State party pay particular attention to guarantee the preservation of the identity of indigenous and Afro-Panamanian children, e.g. by the implementation of the national plan to develop bilingual intercultural education.

- Rwanda, CRC, CRC/C/140 (2004)36 at paras. 234 and 235.

234. The Committee is concerned at the situation of children belonging to minorities, including Batwa children, in particular their limited access to basic social services, including health care, immunization and education, and the violation of their rights to survival and development, to enjoy their own culture and to be protected from discrimination.

235. In line with its recommendations adopted at its day of general discussion on the rights of indigenous children (CRC/C/133, para. 624), the Committee recommends that the State party:

(a) Undertake a study to assess the situation and the needs of Batwa children and to elaborate a plan of action involving leaders of the Batwa community to protect the rights of those children and ensure their social services; and

(b) Seek adequate means and measures to ensure birth registration, health care, etc.

- Liberia, CRC, CRC/C/140 (2004)67 at paras. 334, 335, 352, 353, 358 and 359.

334. The Committee is very concerned that the granting of citizenship to children born in the State party is restricted on the basis of colour or racial origin by the provisions contained in article 27 of the Constitution and the Alien and the Nationalization Law, which are contrary to article 2 of the Convention on the Rights of the Child.

335. The Committee recommends that the State party amend its Constitution and citizenship

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laws to eliminate discrimination on the basis of colour or racial origin.

...

352. The Committee notes with concern that, according to the New Domestic Relations Law, the minimum legal age for marriage is 21 for males and 18 for females, while according to the Revised Administrative Law Governing the Hinterland this age-limit is of 15 years only. The Committee is concerned that in practice, the custom of early marriage is widespread, particularly for girls in rural areas who can get married as early as 12 or 13 years old. The Committee is further concerned that such girls, once married, are not afforded protection and that the enjoyment of their rights as children is not ensured as enshrined in the Convention.

353. The Committee recommends that the State party amend the Revised Administrative Law Governing the Hinterland by raising the age of marriage to similar ages defined in the New Domestic Relations Law in order to prevent early marriages. It also recommends to the State party that it take measures to ensure that when under age girls are married, they continue fully enjoying their rights as set out in the Convention. The Committee also recommends that the State party develop sensitization programmes, involving community and religious leaders and society at large, including children themselves, to curb the practice of early marriages.

...

358. The Committee welcomes the State party's efforts to rehabilitate the educational system that was massively destroyed by the civil war. It further takes note of the "Back to School" programme that has already brought many children back to school. However, the Committee is concerned about the continuing low rates of enrolment, the significant disparities of enrolment and literacy rates between boys and girls and the overall low quality and hidden costs of education.

359. The Committee recommends the State party:

(a) Prioritize the construction and reconstruction of schools throughout the country and improve accessibility for all children, taking into account the needs of children with disabilities;

(b) Progressively ensure that girls and boys from urban and rural areas have equal access to educational opportunities and receive free education without any hidden costs;

...

- Myanmar, CRC, CRC/C/140 (2004) 81 at paras. 408, 409, 453 and 454.

408. While noting the progress achieved by the State party in registering children at birth, the Committee remains concerned at the large number of children whose births have not

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been registered. The Committee is further concerned that religion and ethnic origin are specified on the identity card and is deeply concerned that the Citizenship Act establishes three different categories of citizenship, possibly resulting in some categories of children and their parents being discriminated against, stigmatized and/or denied certain rights.

409. In light of article 7 of the Convention, the Committee urges the State party to strengthen its efforts to reform its civil registration system to ensure that all children are registered at birth without discriminatory conditions, through, *inter alia*, conducting awareness-raising campaigns and a review of the existing registration system. It is also encouraged to consider facilitating birth registration procedures through mobile units for remote areas. In line with its previous recommendations ([CRC/C/15/Add.69], paras. 28 and 34), the Committee recommends that the State party abolish the categories of citizens, as well as the statement on the national identity card of the religion and ethnic origin of citizens, including children.

...

453. The Committee is deeply concerned about the situation of the children of the Bengali people residing in northern Rakhine State, also known as the Rohingyas, and of children belonging to other ethnic, indigenous or religious minorities and in particular that many of their rights are denied, including the rights to food, to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination.

454. The Committee urges the State party to gather additional information on all ethnic minorities and other marginalized groups and to elaborate policies and programmes to fully ensure the implementation of their rights without discrimination, taking into account the Committee's recommendations on the rights of indigenous children made at its day of general discussion (CRC/C/133, para. 624).

- Dominica, CRC, CRC/C/140 (2004) 101 at paras. 506 and 507.

506. The Committee acknowledges the various measures undertaken with regard to the Carib Indian children. However, the Committee is concerned about the limited enjoyment of their rights; particularly with regard to their access to education and health owing to widespread poverty.

507. The Committee recommends that the State party continue and strengthen its efforts to improve the enjoyment of the rights of Carib Indian children, in particular by effective measures to reduce poverty in the Carib Indian Territory.

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- Democratic People's Republic of Korea, CRC, CRC/C/140 (2004) 111 at paras. 514, 538 and 539.

514. The Committee notes with appreciation the adoption of the following laws aimed at enhancing the implementation of the Convention:

...

(b) The Law on the Protection of Disabilities, adopted in 2003, ensuring equal access for persons with disabilities to public places, transportation and public services...

...

538. The Committee is concerned that some groups of children, including children with disabilities, children belonging to different social groups, and children living in rural and remote areas, suffer from disparities in accessing basic services. In some instances, girls still suffer from prejudicial traditional stereotypes.

539. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups. The Committee requests the State party to pay particular attention to children with disabilities, children belonging to different social groups, and those living in rural and remote areas, as well as to preventing and combating prejudicial stereotypes against girls and women.

- France, CRC, CRC/C/140 (2004) 124 at paras. 597, 598 and 600-605.

597. The Committee welcomes plans to establish, in 2004, an independent authority to prevent and combat all forms of discrimination. However, the Committee is concerned that discrimination persists, in particular in the field of economic and social rights, hampering social integration, especially with respect to children residing in the Overseas Departments and Territories, foreign children and so-called "*sans papiers*" as well as children born out of wedlock and that, in practice, discrimination based on origin, colour, religion, name or other status still continues in certain areas.

598. The Committee reiterates its previous concerns and recommendations (CRC/C/15/Add.20, paragraph 19, related to regional disparities) and recommends that the State party review its existing legislation with a view to bringing it into compliance with the Convention and ensuring its effective implementation, including by taking necessary measures to prevent and combat persistence in practice of discrimination based on origin, colour, religion, name or other status. Furthermore, the Committee recommends that the State party expedite the process of legislation aimed at removing discriminatory terminology from the law.

...

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600. The Committee welcomes the legislative efforts made by the State party to reinforce the rights of the child to express her/his views freely in all matters concerning her/him and have them duly taken into account. However, the Committee remains concerned at inconsistencies in legislation as well as the fact that in practice, the interpretation of the legislation, and determination of which child is “capable of discernment”, may leave possibilities of denying a child this right or make it subject to the child’s own request and may give rise to discrimination. In addition, the Committee is concerned at the conclusion of the Special Rapporteur on the sale of children, child prostitution and child pornography that, in practice, most judges are not willing to hear children and that in the past, justice has failed child victims of sexual abuse (E/CN.4/2004/9/Add.1, paras. 85 and 89).

601. The Committee recommends that the State party review legislation with a view to removing inconsistencies related to the respect for the views of the child. Furthermore, it is encouraged to continue to promote and facilitate, within the family, schools, institutions as well as in judicial and administrative proceedings, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention, as a right they are informed of, not merely a possibility. It further encourages the State party to provide educational information to parents, teachers and headmasters, government administrative officials, the judiciary, children themselves and society-at-large with a view to creating an encouraging atmosphere in which children can freely express their views, and where in turn, these are given due weight.

602. The Committee takes note of the law adopted on 22 January 2002 related to the right to know one’s origins. However, the Committee remains concerned that the rights enumerated in article 7 of the Convention may not be fully respected by the State party and that the right to conceal the identity of the mother if she so wishes is not in conformity with the provisions of the Convention...

603. The Committee recommends that the State party take all appropriate measures to ensure that the provisions of article 7, especially the right of the child to know, as far as possible, his or her parents, be fully enforced in the light of the principles of non-discrimination (art. 2) and the best interests of the child (art. 3)...

604. The Committee notes that the Constitution provides for freedom of religion and that the law of 1905 on the separation of church and State prohibits discrimination on the basis of faith. The Committee equally recognizes the importance the State party accords to secular public schools. However, in the light of articles 14 and 29 of the Convention, the Committee is concerned by the alleged rise in discrimination, including that based on religion. The Committee is also concerned that the new legislation (Law No. 2004-228 of 15 March 2004) on wearing religious symbols and clothing in public schools may be counterproductive, by neglecting the principle of the best interests of the child and the right of the child to access to education, and not achieve the expected results. The Committee welcomes that the

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provisions of the legislation will be subject to an evaluation one year after its entry into force.

605. The Committee recommends that the State party, when evaluating the effects of the legislation, use the enjoyment of children's rights, as enshrined in the Convention, as a crucial criteria in the evaluation process and also consider alternative means, including mediation, of ensuring secular character of public schools, while guaranteeing that individual rights are not infringed upon and that children are not excluded or marginalized from the school system and other settings as a result of such legislation. The dress code of schools may be better addressed within the public schools themselves, encouraging participation of children. The Committee further recommends that the State party continue to closely monitor the situation of girls being expelled from schools as a result of the new legislation and ensure they enjoy the right of access to education.

- Brazil, CRC, CRC/C/143 (2004) 10 at paras. 29, 37-39, 54, 55, 75-78, 81, 82 and 96-98.

29. The Committee welcomes the adoption of the 1988 Constitution of Brazil, which includes human rights principles and gives absolute priority to children's rights in article 227. This inclusion represents a significant advance in the recognition of children as persons with rights.

...

37. The Committee notes with extreme concern the dramatic inequalities based on race, social class, gender and geographic location which significantly hamper progress towards the full realization of the children's rights enshrined in the Convention.

38. The Committee welcomes the legislative measures undertaken by the State party with a view to strengthening the promotion and protection of children's rights. The Committee also notes that the application of a considerable part of the Convention falls within the competence of the federal States and municipalities, and is concerned that this may lead, in some instances, to situations where the minimum standards of the Convention are not applied to all children due to legal, policy and financial differences at the State and municipal levels.

39. The Committee recommends that the State party ensure the full implementation of relevant legislation, in particular the Statute of the Child and Adolescent. The Committee also urges the federal Government to ensure that federal States and municipalities are aware of their obligations under the Convention and that the rights in the Convention have to be implemented in all States and municipalities through legislation and policies and other appropriate measures.

...

54. The Committee welcomes the fact that the Constitution of 1988 criminalizes acts of



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racism by not giving the right to bail or prescription and by subjecting them to imprisonment. The Committee notes the recent measures adopted by the federal Government, including the cultural diversity programme and Civil Code Law 10.406/02, which regulates the citizenship of the Brazilian Indian, since it abolishes the previous status of being a relatively “incapable” citizen. However, the Committee is concerned that discrimination is still present against some ethnic groups, such as Brazilians of African descent, in some cultural and social practices and by the persistent level of unequal social development in regions, specifically in the North and Northeast regions, which in many instances amount to discrimination.

55. The Committee urges the State party to take adequate measures to ensure the implementation of existing laws and policies guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups, including all necessary special measures to address the rather persistent inequalities that exist against some ethnic groups such as Brazilian of African descent in the State party. The Committee further recommends that the State party continue to carry out comprehensive public education campaigns and undertake all necessary proactive measures to prevent and combat negative societal attitudes and practices.

...

75. The Committee notes that the 1988 federal Constitution establishes protection for the rights of persons with special needs, and welcomes the establishment of the National Council for the Rights of Persons with Special Needs (CONADE) and the National Coordination for the Integration of Persons with Special Needs (CORDE). Nevertheless, it remains concerned at the very poor living conditions of children with disabilities, their lack of integration in schools and society and at prevailing societal discriminatory attitudes towards them.

76. The Committee recommends that the State party:

...

(b) Take measures to eliminate physical and architectural barriers to the access and use of persons with disability to public buildings, transport, etc.;

...

(e) Establish special education programmes for disabled children and include them in the regular school system to the extent possible;

(f) Undertake awareness-raising campaigns to sensitize the public, and parents in particular, about the rights and special needs of children with disabilities, including those with mental health concerns;

...

(h) Take into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee’s recommendation adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69,

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paras. 310-339);

...

77. The Committee welcomes the State party's efforts to improve Brazil's health level, in particular the establishment of the Minimum Healthcare Allocation (PAB) in 1998. The Committee further notes the reduction of the incidence of child mortality as well as the positive changes observed in the child profile and in the HIV/AIDS incidence. Nevertheless, it is concerned at the low percentage of the population who are covered by at least one health plan and at the inequality in access to health services. The Committee is also concerned about health conditions, particularly of children who reside in rural areas, resulting in marked disparities in the quality of health services provided and of the lower socio-economic segments of the population in the North and North-east regions.

78. The Committee urges that the State party continue to develop the health system, ensuring the provision of the highest standard of health for all children, paying special attention to children in rural and geographically remote areas as well as those belonging to low-income families.

...

81. While taking into account the high priority given by the State party in implementing policies and programmes with a view to fighting hunger and poverty, the Committee notes that Brazil is a country with a relatively high level of development, and shares the concerns of the Committee on Economic, Social and Cultural Rights related to the persistent and extreme inequalities and imbalances in the distribution of wealth and resources (E/C.12/1/Add.87, para. 17). The Committee is concerned that the lives of a great number of children are marked by poverty, difficult access to, and deficient quality of, public services.

82. The Committee highly recommends that the State party:

...

(b) Take measures in order to effectively reach the poorest segment of the population, by offering equal access to health, education, housing and other social services;

(c) Develop programmes and policies to ensure that all families have adequate resources and facilities.

...

96. The Committee welcomes the fact that social organization, customs, languages, creeds and traditions are recognized to indigenous communities in the Constitution of 1988. However, as noted by the State party, the Indian Statute promotes for an integration which is not in accordance with the principle of respect for diversity of cultures. The Committee also welcomes the fact that, according to law 10.406/02, indigenous people are no longer considered "relatively incapable citizens". It also welcomes the efforts made by the State party to stimulate bilingual education. However, the Committee is deeply concerned by the low standard of living of indigenous children, low educational opportunities and quality of

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health services, and malnutrition.

97. The Committee urges the State party to pursue measures to effectively address the gap in life opportunities of indigenous children. Training and awareness-raising activities should be provided to break social prejudice, in order to revert the historical logic of colonization, which jeopardizes any chance of attaining genuinely equal treatment.

98. The Committee also recommends that the State party take adequate measures in order to provide protection for the rights of indigenous children, in particular their rights to preserve historical and cultural identity, customs, traditions and languages in accordance with the Constitution, and taking into account the recommendations adopted by the Committee on its day of general discussion on the rights of indigenous children in September 2003.

- Botswana, CRC, CRC/C/143 (2004) 25 at paras. 147 and 148.

147. While welcoming the formulation of a national policy on the care of people with disabilities, the Committee is concerned that children with disabilities are still discriminated against and often considered “an embarrassment” by their parents, are not adequately integrated in the society or in the mainstream school system and do not have adequate access to social services, including health care, especially those living in remote areas.

148. In the light of the Standards Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee’s recommendations adopted at its day of general discussion on the rights of the children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party continue to strengthen its efforts to combat discriminatory attitudes towards children with disabilities, particularly amongst children and parents, and promote their participation in all aspects of social and cultural life. The State party should also ensure that all children with disabilities have access to health care facilities and education and, wherever possible, they are integrated into the mainstream education system.

- Croatia, CRC, CRC/C/143 (2004) 36 at paras. 188-190, 218, 219, 224, 225, 227 and 229.

188. The Committee acknowledges the various efforts undertaken by the State party to follow up its previous recommendations but remains concerned at the *de facto* discrimination against ethnic and national minorities and Roma and foreign children, and at incidents of harassment and expressions of hatred, which have a negative effect on the development of children. The Committee joins the Committee on the Elimination of Racial Discrimination in its concern as it relates to the lack of legal provisions prohibiting incitement to racial

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discrimination and violence, and about the adequacy of efforts to investigate and prosecute persons responsible for fomenting ethnic hatred (see CERD/C/60/CO/4, para. 12).

189. The Committee reiterates its recommendation that the State party should take measures aimed at developing a culture of tolerance in the society at large through all possible channels, including the schools, the media and the law.

190. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against children belonging to minorities, especially Roma and foreign children.

...

218. The Committee notes the efforts made by the State party to improve its health-care system, e.g. the new Health Insurance Law (2002), but remains concerned about the lack of data about children's health status, in particular children of ethnic and minority groups, and that medical coverage is not ensured for every child...

219. The Committee recommends that the State party undertake all necessary measures to ensure that all children enjoy equal access to and quality of health services, with special attention to children from ethnic and minority groups, especially Roma children...

...

224. While noting the efforts made by the State party with regard to education, e.g. the 2001 Law on the Changes and Amendments of the Primary Education Law, it remains concerned about the different access to education of children belonging to minority and the most vulnerable groups, including Roma children, children living in poverty, children with disabilities and foreign children, which hampers their full enjoyment of a system of education adequate to their values and identity...

225. The Committee recommends that the State party:

(a) Take all necessary measures to ensure that articles 28 and 29 of the Convention are fully implemented, in particular with regard to children belonging to the most vulnerable groups (i.e. minority groups, children living in poverty, etc.);

...

(g) Take the necessary measures to integrate children with disabilities in the mainstream education system, including vocational education, and in society;

(h) In the light of article 29 on the aims of education, establish adequate programmes and activities with a view to creating an environment of tolerance, peace and understanding of cultural diversity in order to prevent intolerance, bullying and discrimination in schools and

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in society at large.

...

227. In line with the recommendation of the Committee on the Elimination of Racial Discrimination (CERD/C/60/CO/4, para. 13), and while noting the challenges confronted by the State party in meeting the needs of a large number of refugees, returnees and displaced persons, most of whom are children, the Committee remains concerned that return is still hindered by administrative impediments and hostile attitudes on the part of some national and local officials. The Committee expresses its concern about the difficult access to education and health care for refugee and internally displaced children.

...

229. The Committee...recommends that the State party take effective measures to resolve the problem of property owners, most of whom are Serbs, returning to their homes before their occupiers (refugees and displaced persons) have been able to find alternative shelter, and that further efforts be undertaken to facilitate the return of refugees and displaced persons. It also recommends that effective measures be undertaken to ensure that displaced children have equal access to education and health care.

- Kyrgyzstan, CRC, CRC/C/143 (2004) 50 at paras. 265-268, 298 and 299.

265. While noting that the State party defines minors as those under 18 years of age, the Committee is aware that numerous legislative acts contain differing definitions for the cut-off age for a “minor”. The Committee is concerned that:

(a) Assistance to families with children with disabilities or children with HIV/AIDS is being provided only to children under the age of 16; and

(b) Children in special institutions for psychological care are being transferred to adult psychiatric hospitals at the age of 16.

266. The Committee recommends that the State party take the necessary legal measures to ensure that all persons under 18 year of age are guaranteed by law the special protection they are entitled to under the Convention.

267. The Committee is concerned that societal discrimination persists against vulnerable groups of children, including children with disabilities, those living in institutions or in poverty, migrants and asylum-seekers with no formal residence permits. The Committee is also concerned at the increasing discrimination against the girl child, in particular girls living in rural areas, due to re-emerging trends such as bridal kidnappings and forced marriages.

268. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full

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compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups. The Committee urges the State party to pay particular attention to the situation of the girl child, in particular girls living in rural areas, in order to halt the practices of forced marriage and bridal kidnapping, which prevent the girl child from fully enjoying the rights enshrined in the Convention.

...

298. While welcoming the adoption of the Law on Refugees in 2002 and the more favourable policies towards refugees, the Committee remains concerned that certain practices do not allow persons below 18 to have their own documentation, and at reports that in some cases asylum-seekers are not being allowed to register their claims for refugee status because of their ethnic background. The fact that asylum-seekers cannot legally remain in the country during the time given by the law for them to appeal a decision against granting refugee status is of concern to the Committee.

299. The Committee recommends that the State party review its regulations and practices concerning refugees in order to eliminate all discriminatory elements between adults and minors as well as between refugees of different ethnic backgrounds and ensure that asylum-seekers whose application for asylum has been rejected in the first instance are granted the right to remain in the country for the period allowed by the law for filing an appeal.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 398 and 399.

398. The Committee is concerned at the discrimination faced by children with disabilities, girls, and children belonging to the San communities in the State party.

399. The Committee recommends that the State party take the necessary legislative measures to explicitly prohibit all forms of discrimination, in accordance with article 2 of the Convention. In this regard, it encourages the State party to include “disability” as a legally unacceptable ground for discrimination in the new constitution currently under consideration. The Committee also recommends that the State party undertake the necessary actions, including awareness-raising and educational campaigns, to reduce and prevent discrimination in practice, particularly against girls.

- Antigua and Barbuda, CRC, CRC/C/143 (2004) 93 at paras. 501 and 502.

501. While noting the existence of the State-run special programme, institutions and special units for children with disabilities and the “Early Intervention Programme” instituted in 1990, and the information that making public buildings accessible for persons with disabilities is under consideration, the Committee remains concerned at the lack of:

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...

(b) Legislation specifically addressing the rights of disabled children and adults;

...

(d) Full integration of children with disabilities into the regular schooling system.

502. The Committee recommends that the State party:

...

(b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities, and allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;

(c) In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia* by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

(d) Ensure the accessibility not only of public buildings but also of the transport system for children with disabilities;...

...

- Sweden, CRC, CRC/C/146 (2005) 8 at paras. 42, 43, 59 and 60.

42. The Committee welcomes the measures taken by the State party to combat racism, especially as it pertains to children, and to ensure that education of children is directed to the development of respect for civilizations different from his/her own and of friendship among all peoples, in accordance with article 29 (1) of the Convention. However, the Committee is concerned about reports of racism, especially in schools, and of racist organizations recruiting children from the age of 13.

43. The Committee recommends that the State party continue strengthening the measures taken to combat racism and xenophobia, including in the field of education.

...

59. The Committee welcomes the efforts taken to eradicate bullying, such as the incorporation into the Education Act (*Skollagen - 1985:1100*) and into the national curriculum of rules on action to counter bullying, as well as the 2001-2002 campaign against bullying, entitled "Together" (*Tillsammans*). However, the Committee notes that the rules

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still have to be fully implemented and that bullying against children with disabilities and of foreign origin continues to be a concern.

60. The Committee recommends that the State party, in its efforts to prevent and combat bullying, pay special attention to children with disabilities and of foreign origins, and that the rules for countering bullying are fully implemented in all schools and other institutions with the involvement of children.

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 96-99, 109 and 110.

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

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

98. The Committee welcomes the many legislative amendments providing for equal rights to all children, including giving children equal inheritance rights without discrimination based on their status at birth. However, the Committee is concerned that discrimination persists in particular with respect to ethnic minorities, including Roma children, disabled children and children living in remote areas many of whom have reduced access to support and protection. The Committee regrets the lack of information on the efforts made by the State party to counter these forms of discrimination while noting statements that this is primarily a result of mentality and attitudes rather than lack of related legislation. Furthermore, the Committee regrets the general lack of information related to discrimination against girls.

99. The Committee urges the State party to undertake concerted actions to develop and implement policies aimed at countering the various forms of discrimination in the country. This would include revision of existing legislation, introduction of comprehensive anti-discrimination legislation and conducting educational campaigns to address discrimination against the Roma and other minorities, as well as discrimination on grounds such as disability, sex, birth status or others.

...

109. The Committee notes the significant efforts made by the State party to ensure that



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every child is registered within 30 days after birth. Nevertheless, it appears that those failing to meet the deadline encounter additional difficulties.

110. The Committee recommends that the State party take appropriate measures to promote the registration of all children, including through facilitating late registration when necessary and paying particular attention to the most vulnerable and marginalized groups. In this context, the State party should ensure that the provisions of article 7 be fully enforced in the light of the principles of non-discrimination (art. 2) and the best interests of the child (art. 3), including the right of the child to know, as far as possible, his or her parents. Meanwhile, immediate access to basic services, such as health and education, should be ensured to children who were not registered at birth, while their registration is being properly prepared.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 174-176, 178, 179, 206 and 207.

174. While taking note with appreciation of the various programmes aimed at combating discrimination, including the appointment of intercultural mediators from the countries of origin of children of asylum-seekers, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to vulnerable groups, such as children with disabilities and refugee and asylum-seeking children.

175. The Committee is further concerned at the discriminatory attitudes and the emergence of racism, xenophobia and related intolerance towards the Muslim community and other minorities and at their impact on children belonging to these groups.

176. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

178. The Committee welcomes the information that the State party intends to eliminate from its legislation any description of children born out of wedlock, which may have a negative or discriminatory connotation.

179. The Committee encourages the State party to carry out this modification as soon as possible.

...

206. The Committee notes with satisfaction that refugee and asylum-seeking children have free access to the school system in Luxembourg and that the Ministry of Education has appointed intercultural mediators in order to facilitate the integration of foreigners in the educational system. However, the Committee is still concerned that a large number of foreign children (more than 40 per cent of the school population) are often disadvantaged

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by the educational programme and teaching methods in Luxembourg, including language problems.

207. The Committee recommends that the State party consider all possible measures through which foreign children and children of asylum-seekers can be granted equal access to the same standard of services in the field of education. The Committee also encourages the State party to ensure that language does not become an obstacle in education and recommends any initiative, including support classes, to help children to learn the needed languages.

- Austria, CRC, CRC/C/146 (2005) 47 at paras. 242 and 243.

242. The Committee notes the positive efforts made by the State party to address racial discrimination, which have also been recognized by the Committee on the Elimination of Racial Discrimination in its concluding observations (CERD/C/60/CO/1). However, the Committee is concerned at the discriminatory attitudes and manifestations of neo-Nazism, racism, xenophobia and related intolerance towards migrant communities and those of certain ethnic backgrounds, and at their impact on children belonging to these groups, as well as towards refugee and asylum-seeking children.

243. The Committee recommends that the State party increase its efforts to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against children belonging to vulnerable groups.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 324, 325, 336, 337, 342, 343, 353, 354, 364 and 365.

324. While noting the provisions of the Registration of Births and Deaths Act (chapter 157 of the Laws of Belize), which requires registering the birth of children, the Committee remains concerned about the shortcomings in the implementation of this Act and the concrete shortcomings in the birth registration system. The birth registration system should be equally accessible to all parents in the whole territory of the State party. The Committee is also concerned about the unregistered children in the State party and the consequences of non-registration on access by children to education, health and other services.

325. The Committee recommends that the State party implement an efficient and at all stages free-of-charge birth registration system, which covers its territory fully, including through introducing mobile birth registration units and awareness-raising campaigns to reach

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the most remote areas of its territory. The Committee requests the State party to pay particular attention to the need for improved access to an early birth registration by immigrant parents and parents whose children were born out of wedlock... Meanwhile, children whose births have not been registered and who are without official documentation should be allowed to access basic services, such as health and education, while waiting to be properly registered.

...

336. The Committee is concerned that recovery of maintenance is not sufficiently ensured in practice... The Committee also notes with concern that children of unmarried parents do not have equal right to maintenance as those of married parents.

337. In the light of article 27, paragraph 4, of the Convention, the Committee recommends that the State party take further measures to ensure the full implementation of legislation on the payment of maintenance as well as to ensure equal right to the recovery of maintenance for all children, irrespective of their parent's marital status...

...

342. The Committee expresses grave concern about the situation of children with disabilities and regrets that *de facto* discrimination against them still exists. The Committee notes with concern the lack of specific legislation which would ensure full and equal participation in social life, including access to social and health services, education, training, information and communication, rehabilitation, recreation and care, for children with disabilities...

343. The Committee urges the State party, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993, annex) and the recommendations adopted by the Committee at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69, paras. 310-339):

(a) To enact special legislation dealing exclusively with disability issues, including access to social and health services, rehabilitation, support services, physical environment, information and communication, education, recreation and sports, in order to achieve the objectives of full participation and equality for children with disabilities;

...

(d) To integrate education for children with disabilities into national educational planning and curriculum and to include children with disabilities in the mainstream school system to the extent possible, including by providing the necessary financial and human resources for the training of teachers;

(e) To disseminate information concerning the rights and potential of children with disabilities and to raise public awareness of disability;

...

353. The Committee is concerned at the discrepancies in the implementation of national

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policies and principles on education in public and private schools, including the church-based schools. With respect to the treatment of pregnant students and teenage mothers in schools, the Committee expresses its grave concern that the State party does not have a policy to prevent and combat the school-based practices of educational exclusion of these students...

354. The Committee recommends that the State party allocate adequate financial, technical and human resources in order:

...

(b) To progressively ensure that all children, without any distinction as to gender or ethnic origin, from all areas of the country, have equal access to compulsory and free quality primary education, without any financial obstacles;

...

(d) To pay special attention to the needs of children belonging to vulnerable groups, including girls, migrant children, working children, children living in poverty, children deprived of their liberty, children belonging to minorities and indigenous children, in order to safeguard their right to education at all levels;

(e) To address the educational needs of pregnant students and teenage mothers in schools and to introduce a national policy on equal treatment of all students in respect of their right to education at all levels;

...

364. With regard to children belonging to minorities and indigenous peoples, such as Maya and Garifuna children, the Committee is concerned about the widespread poverty among them and the limited enjoyment of their rights, particularly concerning their access to social and health services and education. The Committee notes with concern that it is generally difficult for girls belonging to minorities and indigenous peoples to be heard in society and that their right to participate and to be heard in proceedings affecting them is often limited.

365. The Committee recommends that the State party strengthen its efforts to improve the equal enjoyment of all rights of children belonging to minorities and indigenous peoples, in particular, by prioritizing effective measures to reduce poverty among them. The Committee also recommends that the State party take measures to promote respect for the views of children, especially girls, belonging to minorities and indigenous peoples and facilitate their participation in all matters affecting them.

- Bahamas, CRC, CRC/C/146 (2005) 77 at paras. 373, 374, 380, 381, 398, 399, 415 and 416.

373. The Committee welcomes the adoption of the Status of Children Act in 2002 which, *inter alia*, abolished the distinction between children born in wedlock and children born out of wedlock, particularly in relation to intestacy.

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374. The Committee also notes with appreciation the adoption of the Inheritance Act in 2002, which makes provision for all children to have equal rights or entitlement in circumstances where property is distributed on intestacy.

...

380. The Committee notes with appreciation the efforts undertaken by the State party to harmonize its legislation with regard to children and the reform of the Constitution currently under way which intends, *inter alia*, to include children's rights in the Constitution. However, the Committee is concerned that the existing legislation in the State party does not fully reflect the principles and provisions of the Convention.

381. The Committee recommends that the State party expedite its action to include children's rights in the Constitution and take further measures to ensure that the existing legislation conforms fully with the principles and provisions of the Convention, and to ensure its effective implementation.

...

398. The Committee is concerned that societal discrimination persists against vulnerable groups of children, including children living in poverty, Haitian immigrant children and children with disabilities and that the Constitution does not prohibit discrimination on the grounds of disability.

399. The Committee recommends that the State party:

(a) Strengthen, in the current process of reforming the Constitution, the existing provisions on non-discrimination and ensure observance of the principle of non-discrimination in full compliance with article 2 of the Convention;

(b) Adopt further appropriate legislation (e.g. a separate law on non-discrimination);

(c) Adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

415. ...The Committee is concerned at the societal discrimination experienced by children with disabilities, the inaccessibility of buildings and transportation for them and the absence of an inclusive policy. The Committee is particularly concerned that children with disabilities in less populated islands suffer particular disadvantage regarding access to services.

416. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party ensure the integration of these children into mainstream education. In this respect, the State party should take into account the principle of non-

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discrimination and accessibility to all services, including public buildings and transportation, and specifically address the situation of children in less populated islands.

- Islamic Republic of Iran, CRC, CRC/C/146 (2005) 88 at paras. 459, 460, 468-473, 494 and 496.

459. The Committee is deeply concerned at the persisting discrimination against girls and women, in particular in their role as parents, reflected in various legal provisions and practices (e.g. the requirement that a child's father or paternal grandfather only may give his permission for the issuance of a passport for a child under 18 years. Consequently, in a case in which the parents are separated and the mother of the child resides in another country, the child may only leave Iran to visit his/her mother if the father permits the child to do so.). The Committee is equally concerned at discrimination on the grounds of religion and birth. As to the latter, it is concerned that insufficient information has been provided on children born out of wedlock, in particular with respect to the discrimination against and stigmatization of these children, who are particularly vulnerable.

460. The Committee recommends that the State party promptly review all its legislation to ensure that it is non-discriminatory and gender-neutral and that it is enforced. Moreover, the State party should take effective measures, including enacting or rescinding, as appropriate, civil and criminal legislation to prevent and eliminate discrimination on the grounds of sex, religion and other grounds, in compliance with article 2 of the Convention.

...

468. The Committee regrets that little progress has been made concerning respect for the views of the child in judicial decisions, including concerning custody, divorce, administrative decisions, in the family, at school and society at large, owing to the traditional societal attitudes towards children, and that the State party has insufficiently informed the public about the right of children to participate in all matters affecting them. The Committee is concerned that the child's view is only represented through the father or paternal grandfather or other appointed guardian and not directly by the child.

469. In the light of article 12 of the Convention, the Committee recommends that the State party promote the right of children to express their views fully in all matters affecting them at school, within the family, in the courts and administrative bodies and in society in general. In this regard, the Committee recommends that the State party adopt and implement appropriate legislation, and undertake awareness-raising campaigns and educational programmes on the implementation of the principle of "respect for the views of the child". The Committee also recommends that the State party seek assistance from, among others, UNICEF in this regard.

470. The Committee is concerned about discrimination against children on account of their

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father's nationality. It notes with concern that while a child whose father is an Iranian national is considered to have Iranian nationality, a child whose mother is Iranian and who has married a non-Iranian without getting the official consent of the Government, will not be recognized as an Iranian national. The Committee is concerned that this situation currently affects a large number of children whose mothers are Iranian and fathers Afghan and who consequently have neither a birth certificate nor a nationality.

471. The Committee recommends that all children are registered at birth and acquire an irrevocable nationality without discrimination.

472. The Committee is concerned about information that a large number of Iranian children, particularly those living in rural areas, are still not registered at birth and that birth registration is required for school enrolment. It is also concerned about reports that a large number of children born of non-Iranian parents, and in particular Afghan parents who have not registered in Iran, will similarly remain unregistered, thereby excluding them from obtaining a refugee registration card.

473. In the light of article 7 of the Convention, the Committee encourages the State party to adopt all appropriate measures to ensure the registration of all children at birth, including all refugee children born in rural areas. Such measures should include the establishment of mobile registration offices and, for children not yet registered, registration units in schools. In this context, the State party should ensure that the provisions of article 7 are fully enforced in conformity with the principles of non-discrimination (art. 2) and of the best interests of the child (art. 3), including the right of the child to know, as far as possible, his or her parents. Meanwhile, immediate access by children not registered at birth to basic services, such as health and education, should be ensured, while the registration of these children is properly prepared.

...

494. Although the Committee notes the high level of literacy in Iran and the measures taken by the State party to increase school enrolment and lower dropout rates, it remains concerned that not all children are enrolled in or graduate from primary school. Working children, children living on the streets and children without complete personal documents, particularly refugee children with binational parents, have reduced access to schools. It is also concerned that refugee children are currently only being enrolled in schools if their parents have registered with the authorities, and that the enrolment of refugee children is not currently being offered free of charge. It is further concerned about well-documented information that a large number of Baha'i students were not admitted to university on the grounds of their religious affiliation.

...

496. While welcoming the State party's initiatives with respect to youth, the Committee encourages the State party to continue its efforts to reach its goal of universal basic education and recommends that the State party:

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...

(b) Ensure that all children, including refugee children, have equal educational opportunities on all levels of the educational system without discrimination based on gender, religion, ethnic origin, nationality or statelessness;

(c) Eliminate all disparities in resources provided to schools in urban and rural areas in order to guarantee equal educational opportunities throughout the country;

...

- Togo, CRC, CRC/C/146 (2005) 104 at paras. 538, 539, 547, 549, 561 and 562.

538. While noting the efforts made by the State party to address the issue, the Committee notes with concern that societal discrimination persists against vulnerable groups of children, in particular girls and children with disabilities. In particular, the Committee reiterates the concern of the Human Rights Committee (CCPR/CO/75/TGO of 28 November 2002) and of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.61 of 21 May 2001) about “continuing discrimination against...girls with respect to access to education, employment and inheritance”.

539. With reference to the recommendations made in this regard by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the Committee urges the State party to undertake an in-depth review of all its legislation, including the Individuals and Family Code and the Nationality Code of 1998, in order to fully guarantee the application of the principle of non-discrimination in domestic laws and compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups, especially girls and children with disabilities, and children living in remote areas.

...

547. The Committee is concerned that mothers cannot pass their nationality to their children, and that children born out of wedlock or children with foreign fathers may, in some instances, be denied Togolese citizenship and/or left stateless.

...

549. The Committee recommends that the State party reform its citizenship laws, including the Nationality Code of 1998, in order to ensure the transmission of citizenship through both the maternal and paternal line, in accordance with article 32 of the Constitution of 1992.

561. While noting the installation of access ramps in hospitals for disabled and the promulgation on 23 April 2004 of the Act 2004/005 on the social protection of persons with disabilities, the Committee is concerned that children do not have access to health-care services in the first place. In addition, the Committee is concerned that:



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- (a) Only very few children with disabilities have access to education and employment services;
- (b) Education programmes do not prioritize services for disabled children;
- (c) There is no policy for the integration of children with disabilities.

562. The Committee recommends that the State party:

- (a) Take all necessary measures, including appropriate allocation of human and financial resources, to ensure the thorough implementation of the Act 2004/005 on the protection of persons with disabilities;

...

- (c) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;

- (d) Adopt an integration policy, allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;

- (e) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities;

- (f) Seek assistance in this regard from, among others, UNICEF and WHO.

- Bolivia, CRC, CRC/C/146 (2005) 121 at paras. 618, 619 and 638-641.

618. The Committee is deeply concerned about the significant disparities in the State party in the implementation of the rights enshrined in the Convention, reflected in a range of social indicators like enrolment in and completion of education, infant mortality rates and birth registration, indicating persistent discrimination against indigenous children, girls, children with disabilities and children living in rural areas.

619. In light of article 2 of the Convention, the Committee recommends that the State party intensify its efforts to prevent and eliminate all forms of *de facto* discrimination against indigenous children, children with disabilities, girls and children living in rural areas.

...

638. The Committee regrets the lack of official data on the number of children with disabilities in the State party and that children with disabilities continue to face various forms of discrimination. The Committee also notes with concern the lack of public assistance and special education for children with disabilities; the large number of children

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with disabilities who do not attend any form of school education, especially in rural areas; and the lack of an integration policy in general for these children.

639. The Committee recommends that the State party take all necessary measures:

(a) To address all issues of discrimination, including social discrimination and discrimination against children with disabilities in rural areas;

...

(c) To ensure and monitor the implementation of the Equality of Opportunity Act and Policy and to take into consideration the Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

(d) To provide equal educational opportunities for children with disabilities, including by providing the necessary support and ensuring that teachers are trained to educate children with disabilities within regular schools.

640. The Committee welcomes the improvement of primary health-care coverage, including the basic health insurance scheme (SUMI) that provides free medical care for children up to 5 years of age and their mothers. The Committee is concerned, however, that not all children, especially indigenous children, benefit from SUMI. It also remains deeply concerned that post-natal health care is still inadequate and that mortality rates and other health indicators are significantly worse in rural areas...

641. The Committee recommends that the State party continue to strengthen its efforts in improving the health situation of children in the State party and their access to quality health services in all areas of the country, particularly rural areas. It also recommends that the State party take measures to ensure that all children benefit from SUMI...

- Nigeria, CRC, CRC/C/146 (2005) 135 at paras. 693, 694, 710, 711, 725 and 726.

693. While noting that discrimination is prohibited under the Constitution, and that the drafting of an Anti-Discrimination Bill is under way, the Committee regrets the absence of concrete information on the actual enjoyment of the principle of non-discrimination by children in Nigeria. The Committee reiterates its previous concern that children belonging to vulnerable groups, including girls, children living in poverty, children born out of wedlock, children with disabilities and children belonging to minority groups continue to face serious and widespread discrimination. The Committee is also concerned that the State party regards unnecessary any initiatives to prevent and combat racial discrimination given its position that social and ethnic tension, racism and xenophobia are minimal in the State party.

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694. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all rights set out in the Convention without discrimination, in accordance with article 2.

...

710. The Committee reiterates its previous concern at the widespread discrimination against children with disabilities, both within the family and in society in general, especially in rural areas, and notes that many of the causes of disability in Nigeria are preventable. The Committee is particularly concerned at the lack of comprehensive government policy specifically addressing the rights of disabled children. The Committee is further concerned at the poor quality in the delivery and management of services for children with disabilities and the lack of sufficient funding for such services. The Committee is particularly concerned at the limited number of trained teachers and professionals working with children with disabilities, as well as the insufficient efforts made to facilitate their inclusion in the education system and the society in general.

711. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities, the Committee recommends that the State party:

- (a) Undertake a comprehensive study to assess the situation of children with disabilities in terms of their access to suitable health care, education services and employment opportunities;
- (b) Establish a comprehensive policy for children with disabilities and allocate adequate resources to strengthen services for them, support their families and train professionals in the field;
- (c) Reinforce its efforts to develop early detection programmes to prevent disabilities;
- (d) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, inter alia by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;
- (e) Undertake awareness-raising campaigns to sensitize the public about the rights and special needs of children with disabilities, as well as children with mental health concerns; and
- (f) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, UNICEF and WHO.

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...

725. The Committee welcomes that education was given the highest priority in the State party's annual budget. It also notes with appreciation the initiatives of some State Governments to facilitate children's access to education and to increase school enrolment, including the "school meal plus programme" and the development of the Strategy for Acceleration of Girls' Education in Nigeria (SAGEN)...However, in the light of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education), the Committee remains concerned about the various number of problems in the State party's education system, including:

...

- (b) High illiteracy, particularly among girls and women;
- (c) Generally low level of, and regional disparities in, the quality of education in the State party, especially with regard to resources, facilities and the level of teaching;
- (d) Gender and regional disparities in school enrolment;
- (e) High levels of absenteeism and school dropout rates, in part due to school fees which constitute a burden to parents in sending children to schools;
- (f) Mandatory requirement by law in some states of segregation of boys and girls in schools; and
- (g) Segregation of refugees and displaced children in separate schools from other children.

726. The Committee recommends that the State party:

...

- (b) Prioritize equal accessibility to educational opportunities for girls and boys from urban and rural areas;
  - (c) Take necessary measures to remedy the low quality of education and to ensure better internal efficiency in the management of education;
- ...
- (f) Take additional steps, including non-formal education programmes, to address the high illiteracy rates;
  - (g) Ensure that children who drop out of school and pregnant teenagers are provided with the opportunity to resume their studies;
  - (h) Ensure that education opportunities are provided for children suffering from HIV/AIDS;
  - (i) Ensure that refugee and asylum-seeking children are placed in schools in the local

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community, to facilitate their integration;

(j) Increase availability of vocational training programmes for young people, in particular, for girls, with the view to facilitate their access to the labour market, and in this connection, ratify the 1989 UNESCO Convention on Technical and Vocational Education; and

(k) Seek further technical assistance from UNICEF and UNESCO, among others.

- Saint Lucia, CRC, CRC/C/150 (2005) 10 at paras. 52, 53, 78 and 79.

52. The Committee remains concerned that the right to non-discrimination as defined in article 2 of the Convention on the Rights of the Child has not been fully incorporated into the State party's legislation and practice.

53. The Committee urges the State party to raise its efforts to ensure that existing laws fully comply with article 2 of the Convention and to abolish as a matter of priority all discriminatory provisions regarding children born out of wedlock.

...

78. The Committee is concerned about the lack of a national policy or legislation ensuring the right of children with all types of disabilities to the enjoyment of a full and decent life with the assurance of self-dignity and self-reliance.

79. The Committee recommends that the State party:

(a) Adopt a comprehensive policy for children with disabilities;

...

(c) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia*, by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 123, 124, 136-140, 158, 159, 168, 171-175, 181, 195 and 196.

123. Notwithstanding the measures taken by the State party to eliminate discrimination against children, *inter alia*, through the implementation of the provisions of the Child and Youth Welfare Code (Presidential Decree No. 603), the Family Code and the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act and several programmes, such as the Third Elementary Education Programme, the Committee is concerned about discrimination faced by many children, in particular children living in

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poverty, children with disabilities, indigenous and minority children, including Muslim children living in Mindanao, migrant children, street children and children living in rural areas as well as children living in areas of conflict, as regards their access, inter alia, to social and health services and education. The Committee is particularly concerned about the *de facto* discrimination faced by girls in everyday life, which is often multiple discrimination based on their gender. The Committee finally reiterates its concern about the unequal status of children born out of wedlock, particularly with regard to their right to inherit and their discriminatory classification as “illegitimate”.

124. In the light of article 2 of the Convention, the Committee recommends that the State party increase its efforts to ensure effective implementation of existing laws guaranteeing the principle of non-discrimination and adopt a proactive and comprehensive strategy to eliminate all forms of discrimination, including forms of multiple discrimination, against all vulnerable groups of children. The Committee recommends that the State party pay particular attention to the equal status and full enjoyment of all human rights and fundamental freedoms by girls. As regards children born out of wedlock, the Committee requests the State party to review its domestic legislation in order to secure their right to equal treatment, including their right to equal inheritance and abolish the discriminatory classification of those children as “illegitimate”.

...

136. While noting the estimated increase in the birth registration rate and the measures taken by the State party in this respect, including the Unregistered Children Project conducted in collaboration with PLAN International and the National Statistics Office, the Committee remains concerned at the difficulties in ensuring timely birth registration of children, in particular children belonging to religious or other minority groups or indigenous peoples and children living in the remote areas of the country and at the fact that birth registration is not free of charge and not equally accessible to all parents in the entire territory of the State party...

137. In order to secure the full enjoyment of all human rights and fundamental freedoms by children and to achieve 100 per cent birth registration, the Committee recommends that the State party strengthen its efforts to develop an efficient and at all stages free of charge birth registration system, which covers its territory fully, including through using more effectively mobile birth registration units to reach the most remote areas of its territory. The Committee requests the State party to pay particular attention to improved access to an early birth registration for parents whose children were born out of wedlock and parents belonging to religious or other minorities or indigenous peoples.

138. The Committee recommends to the State party that it introduce awareness-raising campaigns aimed at changing public attitudes and sensitizing parents, maternity clinics and hospitals, midwives and traditional birth attendants, in order to achieve better birth registration coverage in the country. In addition, the Committee recommends that the State

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party deepen its cooperation with the international agencies and non-governmental institutions in this respect...The Committee also recommends to the State party that it launch an information campaign, particularly at the local level, on the child's right to identity at birth and on growing up in a family.

139. With reference to the high number of overseas Philippine workers, the Committee is concerned about children born abroad to Philippine migrant workers. Due to the non-registration of these children, they are deprived of their right to name, nationality and identity as well as basic services.

140. The Committee recommends to the State party that it encourage and facilitate parents, irrespective of their residence status, to register their children born abroad. The Committee also recommends that the State party ensure that unregistered children without official documentation are allowed access to basic services, such as health and education, while waiting to be properly registered. In addition, the Committee recommends to the State party that it raise awareness among parents about the need and value of birth registration.

...

158. Welcoming the State party's efforts to eliminate discrimination against children with disabilities and to promote their integration into society with equal opportunities, *inter alia*, by implementing the Programme on Community-based Rehabilitation, the Committee is concerned about the *de facto* discrimination faced by children with disabilities and their invisible role in society. The Committee notes with concern the inadequate implementation of domestic disability legislation, for example, the Magna Charta for Disabled Persons (Republic Act No. 7277 enacted in 1992) and the relevant provisions of the Child and Youth Welfare Code, particularly at the local level. The Committee is concerned that many children with disabilities live in poverty and their access to social and health services and education is limited. Furthermore, deeply rooted misbeliefs and prevailing prejudices against children with disabilities in Philippine society give cause for concern.

159. In the light of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69), the Committee recommends that the State party take all necessary measures to:

(a) Prevent and prohibit all forms of discrimination against children with disabilities and ensure equal opportunities for their full participation in all spheres of life by implementing the domestic disability legislation and the national Community-based Rehabilitation Programme and by including disability aspects in all relevant policymaking and national planning;

...

(c) Ensure that public education policy and school curricula reflect in all their aspects the

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principle of full participation and equality and include children with disabilities in the mainstream school system to the extent possible and, where necessary, establish special education programmes tailored to their special needs;

(d) Provide children with disabilities with access to adequate social and health services and the physical environment, information and communication;

(e) Strengthen its efforts to raise awareness on children with disabilities, including their rights, special needs and potential, in order to change negative attitudes, misbeliefs and prevailing prejudices against children with disabilities by initiating and supporting public information campaigns;

(f) Ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers are adequately trained;

(g) Strengthen the functioning and activities of the National Council on the Welfare of Disabled Persons and cooperation with the National Federation of Organizations of Persons with Disabilities in the Philippines and the non-governmental organizations working in the field of disability issues;

(h) Seek technical cooperation with, among others, UNICEF and the World Health Organization (WHO).

...

168. In the light of the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child and the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37), the Committee recommends that the State party continue to:

...

(b) Prevent discrimination against children infected with and affected by HIV/AIDS, for example by implementing the Philippine AIDS Prevention and Control Act of 1998 prohibiting any form of discriminatory act, and ensure these children have access to adequate social and health services;

...

171. The Committee takes note of the State party's efforts to improve the standard and aims of education, including by implementing the new school curricula for elementary and secondary schools, and the curriculum for early childhood, the Education for All Programme of Action and the Child-friendly School System, in collaboration with UNICEF. Notwithstanding these positive steps taken, the Committee remains gravely concerned that there still remain *barangays* which are not able to provide children with elementary education and there are several vulnerable groups of children, such as children living in poverty, children with disabilities, child labourers, children in armed conflict, indigenous children, children infected with, or affected by, HIV/AIDS and street children, without equal



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access to elementary education. The Committee is concerned that the costs of schooling, such as meals, transportation, school uniforms and supplies, cause financial obstacles to many children from poor families and deny their equal access to education...

172. The Committee is encouraged by the State party's efforts to promote indigenous, minority and local languages in education including, *inter alia*, through the Lingua Franca Project. The Committee is concerned about poor schooling facilities, particularly in the remote *barangays*, including the insufficient number of classroom seats, textbooks and other schooling supplies. It reiterates its concern about the low rate of enrolment in secondary education and that children living in the remote *barangays* have very limited access to secondary education...

173. In the light of articles 28 and 29 of the Convention and the Committee's general comment No. 1 (2001) on the aims of education, the Committee recommends that the State party allocate adequate financial, human and technical resources in order to:

(a) Increase budgetary allocations, governmental subsidies and assistance programmes for children from low-income families in order to secure their equal access to education of all levels;

(b) Urgently take all necessary measures to ensure universal and free primary education for all and pay particular attention to the schooling opportunities in the most remote *barangays* and to the educational needs of children belonging to vulnerable groups, such as children living in poverty, children with disabilities, indigenous children, child labourers, children in armed conflict, children infected with or affected by HIV/AIDS and street children, in order to fulfil their right to education;

...

(d) Provide access to early childhood education for every child making it affordable for poor families and raise awareness of the benefits of preschools and early-learning opportunities among parents;

...

(f) Provide indigenous children and children belonging to minority groups with equal access to quality education which respects their distinct cultural patterns and uses local indigenous and minority languages in education through, *inter alia*, the Lingua Franca Project;

...

174. Notwithstanding the State party's efforts to develop and organize sports and cultural activities for children, the Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children and the discrepancies between *barangays* in this respect. The Committee is concerned that there are several groups of children, such as children not involved in primary education, child labourers and street children, who neither have equal right to enjoy their right to rest and leisure nor to engage in play, sport, recreational and cultural activities.

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175. In the light of article 31 of the Convention, the Committee recommends that the State party make all necessary efforts to protect the right of the child to rest, leisure, cultural and recreational activities. The Committee recommends that the State party strengthen its efforts to promote the right of the child to engage in play by providing children with creative play facilities. It requests the allocation of adequate human and financial resources to the implementation of this right and the payment of particular attention to vulnerable groups of children, such as children outside of the educational system, child labourers and street children.

...

181. The Committee...recommends that the State party pay particular attention to the implementation of guidelines for Philippine Armed Forces on the treatment of children in armed conflict and ensure that children who are arrested are released from military custody within the prescribed time limits and that children are provided with adequate medical treatment and informed about their rights. As regards displaced children and children living in conflict areas, the Committee urges the State party to take effective measures to secure their access to basic services, including adequate social and health services and education and development. Finally, the Committee recommends that the State party ensure that all children living in areas affected by armed hostilities enjoy their human rights on equal footing without any discrimination.

...

195. While noting the provisions of the Indigenous Peoples Rights Act (Republic Act No. 8371) as well as programmes and projects for children belonging to minorities and indigenous peoples, such as an alternative system of education for children belonging to indigenous cultural communities, the Childcare Development Programme and the Lingua Franca Project, the Committee is concerned about the widespread poverty among minorities and indigenous peoples and the limited enjoyment of their human rights, in particular, concerning their access to social and health services and education. The Committee shares the State party's concern about arranged early marriage in the indigenous communities. In addition, the Committee notes with concern more pronounced discrimination against Muslims.

196. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that indigenous children and children belonging to minorities fully enjoy all of their human rights equally and without discrimination. In this respect the Committee recommends that the State party strengthen its efforts to implement the Indigenous Peoples Rights Act (Republic Act No. 8371) and develop and implement policies and programmes in order to ensure equal access for indigenous and minority children to culturally appropriate services, including social and health services and education. Furthermore, the Committee recommends that the State party strengthen its mechanisms for data collection on minority and indigenous children so as to identify existing gaps and barriers to the enjoyment of their human rights and with a view to developing legislation, policies and programmes to address such gaps and barriers.

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- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 227, 228, 234, 235, 246, 248, 249, 251, 259-261, 277 and 278.

227. The Committee is concerned that discrimination on grounds of ethnicity, political affiliation, national origin, social status, status as internally displaced persons or returnees, residence in rural areas and gender or disability continues to be widespread. The Committee also expresses concern at the information that - despite some improvements - the media sometimes contribute to stigmatization and social exclusion by conveying stereotyped messages and distrust of people belonging to minority and/or ethnic groups.

228. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat all discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate *de facto* discrimination against children, in particular children with disabilities, Roma children and children belonging to ethnic and/or religious minorities or other nationalities. The State party is also encouraged to develop, in consultation with the media, a code of conduct with a view to eliminating stereotyping and stigmatization of minority and/or ethnic groups in the media.

...

234. The Committee is concerned that, according to data provided by the Ombudsmen of the two Entities, there are about 5,000 children with incomplete data in the registries and a number of children in some regions of the country who are not registered at all. The Committee is further concerned at the information that Roma children are often not registered due to the lack of identification documents for their parents. They are also discriminated against by authorities who refuse to recognize the right of Roma children to registration.

235. In the light of article 7 of the Convention, the Committee urges the State party to continue to strengthen, as a matter of priority, its efforts to establish a system ensuring the registration of all children born within its territory - irrespective of the nationality and status of the parents - of all children born abroad by parents who are citizens of the State party and to take specific steps to ensure the registration of Roma children.

...

246. While the Committee welcomes the various legislative measures taken for the protection of children with disabilities, it notes with concern that discriminatory practices and prejudices still exist towards disabled persons, including children and that they lack sufficient medical care and educational opportunities.

...

248. The Committee encourages the State party to actively pursue its current efforts and to continue to:

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...

(c) Take concrete and specific measures to ensure that children with disabilities may exercise their right to education to the maximum extent possible and facilitate inclusion in the mainstream education system, including vocational education;

...

(e) Strengthen public awareness campaigns to change negative public attitudes towards persons with disabilities.

249. The Committee is concerned that the country's complex political structure and the lack of unified laws and policies make equitable access to health-care services for all children increasingly difficult... Finally, the Committee expresses serious concern that some 90 per cent of Roma have no health insurance, which results in their *de facto* exclusion from access to health care.

...

251. The Committee recommends that the State party undertake all necessary measures to ensure that all children enjoy the same access and quality of health services, with special attention to children belonging to vulnerable groups, especially Roma. Furthermore, the Committee recommends that the State party strengthen its efforts in improving the health situation of children in the State party, including through:

(a) Strengthening its efforts to ensure that all children have access to basic health-care services;

...

259. The Committee is concerned that there exists extensive discrimination regarding access to education by ethnic and/or national minorities, especially Roma (only 33 per cent of whom attend primary school). Furthermore, the Committee is concerned that other marginalized groups of children, including refugees and returnees and children with disabilities face difficulties of access to schooling.

260. The Committee is also concerned about:

(a) The still existing phenomenon of the "two-schools-under-one-roof" system, whereby - in some Cantons - common premises are either divided or being used at different times by children of different ethnicity, who are taught a different curriculum depending on their national origin;

...

261. The Committee recommends that the State party:

(a) Strengthen its efforts to harmonize legislation on education and ensure its effective and uniform implementation throughout the country;

(b) Take all necessary measures to ensure that articles 28 and 29 of the Convention are fully

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implemented, in particular with regard to children belonging to the most vulnerable groups (i.e. minority groups, those living in poverty, refugee and returnee children, Roma children, children with disabilities, etc.);

...

(f) In the light of article 29 on the aims of education, harmonize the educational system throughout the country, eliminate the so-called system of “two-schools-under-one-roof” and establish adequate programmes and activities with a view to create an environment of tolerance, peace and understanding of cultural diversity shared by all children to prevent intolerance, bullying and discrimination in schools and society at large;

...

277. While the Committee welcomes the Law on the Protection of National Minorities, adopted by Parliament of Bosnia and Herzegovina on 1 April 2003, as well as the establishment of the Roma Committee, it remains concerned about the fact that continuing problems of ethnic discrimination and intolerance, including instances of violence and of daily discrimination, have a huge impact on the full enjoyment of the rights enshrined in the Convention by children belonging to ethnic minorities, especially Roma.

278. The Committee recommends that the State party take effective measures to protect the full enjoyment of the rights of children belonging to ethnic minority groups and undertake special measures to stimulate a process of reconciliation and confidence-building, including wide-ranging educative and awareness-raising campaigns.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 298, 299, 316-318, 346, 347, 356, 357, 359 and 361.

298. The Committee...reiterates its previous concern regarding the disparities in legislation, in particular, in local, customary and religious laws, which result in uneven and discriminatory protection and promotion of children’s rights.

299. The Committee recommends that the State party continue to strengthen the process of achieving compliance of its legislation, in particular, the 1992 Children’s Act, with the principles and provisions of the Convention. The Committee further recommends that the State party remove the current age restriction in the Children’s Act to ensure that children of all ages are able to approach the court for protection.

...

316. While noting that discrimination is prohibited under the Constitution and other relevant legislation, as well as the various efforts undertaken by the State party to eliminate discrimination, the Committee reiterates its deep concerns about the widely prevailing *de facto* discrimination against girls and children belonging to the most vulnerable groups such as the *Dalit* community, children belonging to indigenous or ethnic minority groups, refugee and asylum-seeking children, street children, children with disabilities and children living

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in rural areas. The Committee notes with grave concern that as a consequence of prevailing discriminatory attitudes, children belonging to vulnerable groups are particularly likely to fall victim to abuse and exploitation.

317. With reference, *inter alia*, to the concerns of the Committee on the Elimination of Racial Discrimination (CERD/C/64/CO/5) regarding the persistent *de facto* caste-based discrimination against *Dalit* in education, employment, marriage, access to public places including water sources and places of worship, the Committee expresses serious concern about the harmful effects of this prevailing form of discrimination on the physical, psychological and emotional well-being of the *Dalit* children in the State party.

318. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the right to non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. In this regard, the Committee urges the State party to prioritize and target social services for children belonging to the most vulnerable groups, and to take all effective measures to ensure their protection from exploitation. The Committee encourages the State party to launch comprehensive public information campaigns to prevent and combat all forms of discrimination.

...

346. While acknowledging that the minimum age of marriage for girls is 18 years, the Committee shares the concern of the State party that the custom of early marriage is widespread in practice, in particular within certain ethnic and religious communities, and that girls, once married, are not afforded the protection for the enjoyment of their rights as children as enshrined in the Convention, including the right to education.

347. The Committee recommends that the State party strengthen its enforcement of the existing legislation to prevent early marriage and that the State party develop sensitization programmes, involving community and religious leaders and society at large, including children themselves, to curb the practice of early marriage. It also recommends to the State party that it take measures to ensure that when underage girls are married, they continue to fully enjoy their rights as set out in the Convention, including the right to education.

...

356. ...The Committee is...concerned about the high dropout rate, and that significant inequality exists in access to education, in part due to the hidden costs associated with schooling, and that a large proportion of girls and children from disadvantaged backgrounds such as *Dalit* children and children with disabilities remain deprived of educational opportunities.

357. The Committee recommends that the State party carefully examine the budget allocations and measures taken within the field, with regard to their impact on the

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progressive implementation of the child's right to education and leisure activities. In particular, the Committee recommends that the State party:

...

(b) Continue to strengthen measures aimed at increasing enrolment rates and school attendance, as well as reducing the high dropout rate in primary and secondary education and ensure that children receive the full schooling to which they are entitled;

...

(d) Take further measures to improve the accessibility, in particular for girls, to education of all children, with a view to eliminating the prevailing disparities between girls and boys, as well as between urban and rural areas;

...

(g) Introduce and fully implement targeted programmes for children from poor families and children from marginalized groups;

...

(k) Ratify the Convention against Discrimination in Education (1960) and the Convention on Technical and Vocational Education (1989);

...

359. The Committee welcomes the adoption in August 2004 of an official policy that is grounded on the principle of *non-refoulement*, but it regrets that the State party has not yet ratified the Convention relating to the Status of Refugees, Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness, and that there is no domestic legislation that covers the rights of refugees and asylum-seeking persons. In this regard, and given the fact that a large population of these persons are children the Committee is concerned about:

(a) The reports of discrimination and ill-treatment, including high incidence of sexual abuse of women and children in Bhutanese camps in Nepal;

...

(c) The rule that refugee status can only be sought by certain categories of asylum-seekers, specifically, the Tibetans who arrived in Nepal before 1990 and the Bhutanese;

(d) The restrictions on Bhutanese refugees on their freedom of movement, as well as their enjoyment of the right to health and education.

...

361. The Committee recommends that the State party:

...

(b) Seek to ensure, as a matter of priority, that all internally displaced, refugee and asylum-seeking children and their families have access to health and education services, and that all their rights contained in the Convention are protected, including the right to be registered at birth;

(c) Take immediate measures to ensure that all internally displaced, refugee women and

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children under its jurisdiction are protected from all forms of sexual exploitation and that perpetrators are duly prosecuted;

...

- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 459 and 460.

459. The Committee takes note of the various measures undertaken by the State party with regard to indigenous children, including the implementation of the bilingual intercultural education system. However, the Committee remains concerned about the limited enjoyment of rights by indigenous children, particularly with regard to access to education and health due to widespread poverty...

460. The Committee recommends that the State party take all necessary measures to protect the rights of indigenous children against discrimination and to guarantee their enjoyment of the rights enshrined in domestic law and in the Convention. In this regard, the Committee refers the State party to its recommendations adopted following its day of general discussion on the rights of indigenous children at its thirty-fourth session in 2003. The Committee further recommends that the State party provide indigenous communities, including children with sufficient information regarding birth registration procedures, child labour, HIV/AIDS, child abuse and neglect, including corporal punishment.

- Norway, CRC, CRC/C/150 (2005) 105 at paras. 482, 483, 493 and 494.

482. Despite the ongoing measures of the State party in this area, the Committee is concerned about the discrimination faced by some children in schools and society on the basis of their religious or ethnic backgrounds.

483. In the light of article 2 of the Convention, the Committee recommends that the State party continue to intensify its efforts to prevent and eliminate all forms of *de facto* discrimination against children.

...

493. The Committee notes with concern that children with disabilities are limited in their participation in cultural and recreational activities.

494. The Committee recommends that the State party take all necessary measures to ensure that equal access to services, including cultural and recreational activities, is provided to children with disabilities taking into consideration the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339).



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- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 554-557, 584 and 585.

554. The Committee is concerned that the number of places available in services, such as day care and pre-school facilities, appears to be inadequate and there are notable regional disparities in this respect.

555. In the light of article 18, paragraph 3, of the Convention, the Committee recommends that the State party take immediate measures to increase the number of places in day care and pre-school facilities, paying particular attention to the regional equality.

556. The Committee expresses its grave concern about the situation of children with disabilities and regrets that discrimination against them exists. While noting that the majority of services for children with disabilities exist in the urban area, the Committee is particularly concerned for children with disabilities living in rural areas of the country and the difficult socio-economic circumstances faced by them. While taking note of the laws regulating the rights of persons with disabilities and the National Programme for the Improvement of the Situation of Disabled Citizens, adopted in 1999, the Committee is concerned about the lack of effective policies, basic services and coordination supporting the children with disabilities. The Committee notes with concern the lack of a legal framework to provide children with disabilities with access to the physical environment. The Committee also notes with concern that the high number of children with disabilities have neither adequate access to social and health services nor to education. Furthermore, the Committee expresses its concern about the lack of adequate statistical data on children with disabilities and the existing prejudices against children with disabilities.

557. The Committee urges the State party, taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69):

- (a) To initiate and plan a comprehensive national policy for children with disabilities and to allocate necessary financial and human resources to implement the plan;
- (b) To collect adequate and disaggregated statistical data on children with disabilities and to use such data in developing policies and programmes to promote their equal opportunities in society, paying particular attention to children with disabilities living in rural areas of the country;
- (c) To prevent and prohibit all forms of discrimination against children with disabilities and to ensure equal opportunities for their full participation in all spheres of life;

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(d) To take all necessary measures to include children with disabilities in the mainstream school system to the extent possible and, where necessary, to establish special education programmes tailored for their special needs;

(e) To take measures to provide children with disabilities with access to the physical environment, information and communication;

(f) To raise awareness, owing to the deeply rooted prevailing prejudices against children with disabilities in Mongolian society, of children with disabilities, including their rights, special needs and potential, in order to change negative public attitudes.

...

584. The Committee regrets that it has been largely precluded, through lack of information in the report, from examining compliance of the State party's obligations with the rights guaranteed under article 30 of the Convention with regard to children belonging to minorities, such as Khazakhs and Tsaatans. The Committee is concerned about the limited enjoyment of their human rights, particularly concerning their access to social and health services and education.

585. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that children belonging to minorities fully enjoy all of their human rights equally and without discrimination...

- Nicaragua, CRC, CRC/C/150 (2005) 132 at paras. 617, 618, 641, 665 and 666.

617. The Committee is concerned that the country's adult-centred culture and the high poverty levels, concentrated especially in rural, indigenous and Caribbean areas, prevent the full enjoyment of rights by children belonging to vulnerable groups, such as children with disabilities, indigenous children and children living in rural or remote areas.

618. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups throughout the country.

...

641. The Committee recommends that the State party:

...

(e) Strengthen its efforts by conducting campaigns and programmes to raise awareness about HIV/AIDS among adolescents, particularly among those belonging to vulnerable groups as well as the population at large, so as to reduce discrimination against children infected and affected by HIV/AIDS;

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...

665. The Committee notes with concern that, despite constitutional recognition of indigenous customary rights, indigenous communities still suffer from institutional neglect, historic abandonment and indiscriminate pillaging of natural resources, especially in the Caribbean region.

666. The Committee recommends that the State party pursue measures to effectively address the gap in life opportunities of indigenous children, and take adequate measures in order to provide protection for the rights of indigenous children as protected in the Constitution, taking due account of the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in September 2003.

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 687 and 688.

687. The Committee welcomes the elaboration of the first National Development Plan for Costa Rica's Indigenous People, the translation into indigenous languages of the Childhood and Adolescence Code, the Law against Domestic Violence and the Law on Responsible Paternity, as well as the incorporation of the rights of indigenous people into the National Plan for Children and Adolescents. The Committee is concerned however at the limited access of indigenous children, migrant children and those living in rural areas, to basic education and health services, and at their low standard of living. The Committee also regrets the absence of information in the State party's report on the implementation of its previous recommendation regarding the protection of children of migrant families in irregular situations against discrimination. While welcoming the revocation by resolution No. 008857-99 of articles 6 and 7 of Executive Decree (*Decreto ejecutivo*) No. 21989-MEP-MTSS, the Committee is concerned at information received whereby migrant children are still neither eligible for scholarships, nor entitled to take part in students' councils.

688. The Committee encourages the State party to continue to pay due attention to the needs of indigenous people by taking appropriate measures to address the high rate of infant mortality among the indigenous communities, and to substantially increase their level of education and standard of living, and endorses the recommendation of the Committee on the Elimination of Racial Discrimination in that regard (CERD/C/60/CO/3, para. 11). The Committee further recommends that the State party provide information on the number of migrant children who benefited from scholarships since the adoption of resolution No. 008857-99. In addition, the Committee recommends that the State party take steps to disseminate the contents of the resolution to the public at large. The Committee also recommends that the State party take appropriate measures to ensure the right of migrant children to take part in students' councils...

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- Yemen, CRC, CRC/C/150 (2005) 161 at paras. 762, 763, 783 and 784.

762. The Committee is deeply concerned at the persistence of discriminatory social attitudes against girls. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and at the social discrimination experienced by children belonging to the most vulnerable groups, *inter alia*, children who are also addressed as *Akhdam* children, children born out of wedlock, children with disabilities, street children and children living in rural areas.

763. The Committee recommends that the State party:

(a) Strengthen its efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly with regard to girl children, in accordance with article 2;

(b) Prioritize and target social services for children belonging to the most vulnerable groups, including those children referred as *Akhdam* children, children with disabilities, street children and children living in rural areas;

(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family;

(d) Train school teachers, media and members of the legal profession, particularly the judiciary, to be gender-sensitive; and

(e) Mobilize religious leaders to support such efforts.

...

783. While acknowledging the efforts made by the State party, the Committee remains concerned at the numerous problems faced by children with disabilities. It is particularly concerned at the lack of:

...

(c) Integration of children with disabilities into the regular schooling system.

784. The Committee recommends that the State party:

...

(c) Review the situation of children with disabilities, in terms of their access to employment, education, housing and health-care facilities, and allocate adequate resources to strengthen services for children with disabilities, support their families and provide training for professionals in this field;

(d) Formulate a strategy, one which includes appropriate teacher training, to ensure that all

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children with disabilities have access to education, and whenever possible they are integrated into the mainstream education system;

(e) Ensure accessibility to all public buildings as well as to the transport system;

...