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IV. CONCLUDING OBSERVATIONS

CERD

- Zambia, CERD, A/48/18 (1993) 51 at para. 256.

As stated in General Recommendation XIII (42), law enforcement officials should receive intensive training to ensure that, in the performance of their duties, they respect as well as protect human dignity and maintain and uphold the human rights of all persons without distinction as to race, colour, descent or national or ethnic origin.

- Germany, CERD, A/48/18 (1993) 81 at para. 447.

Taking into account that practices of racial discrimination in such areas as access to employment, housing and other rights referred to in article 5 (f) of the Convention are not always effectively dealt with, the authorities should give serious consideration to the enactment of a comprehensive anti-discrimination law. Such a law would constitute a clear reaffirmation by the authorities that racial discrimination was absolutely unacceptable, detrimental to human rights and human dignity. Other preventive measures, such as information campaigns, educational programmes and training programmes addressed particularly to law enforcement officials, in accordance with article 7 of the Convention and General Recommendation XIII, would strengthen the effectiveness of legal provisions.

ICCPR

- Yugoslavia (Serbia and Montenegro), ICCPR, A/48/40 vol. I (1993) 82 at para. 386.

Various concordant sources of information describe mass arrests, summary and arbitrary executions, enforced or involuntary disappearances, torture, rapes and looting committed by Serbian nationalists both in Croatia (Krajina) and in Bosnia and Herzegovina. It is reported that some 20 camps are controlled by these armed men and that they are holding thousands of civilians, including women, children and elderly people, in conditions unworthy of the respect due to the human person.

- Cameroon, ICCPR, A/49/40 vol. I (1994) 36 at para. 194.

The fact that brutality is practised in prisons, as well as non-respect for the provisions of article 10 of the Covenant in detention centres where men and women, convicted and unconvicted prisoners,

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adult and juvenile offenders are held in the same, generally insalubrious, cells is deplored.

- Jordan, ICCPR, A/49/40 vol. I (1994) 41 at para. 234.

The Committee is also concerned that the guarantees contained in articles 7, 9, 10 and 14 of the Covenant are not fully complied with. In particular, it is of concern that torture and ill-treatment of persons deprived of liberty continue to be reported. Cases of administrative detention, denial of access of detainees to legal counsel, long periods of pre-trial detention without charges and incommunicado detention are also matters of great concern. Concern is expressed at conditions of detention in the General Intelligence Department headquarters.

- United States of America, ICCPR, A/50/40 vol. I (1995) 52 at para. 299.

Legislative, prosecutorial and judicial policy in sentencing must take into account that overcrowding in prisons causes violation of article 10 of the Covenant. Existing legislation that allows male officers access to women's quarters should be amended so as to provide, at least, that they will always be accompanied by women officers. Conditions of detention in prisons, particularly in maximum security prisons, should be scrutinized with a view to guaranteeing that persons deprived of their liberty be treated with humanity and with respect for the inherent dignity of the human person, and implementing the United Nations Standard Minimum Rules for the Treatment of Prisoners and the Code of Conduct for Law Enforcement Officials therein.

- Ukraine, ICCPR, A/50/40 vol. I (1995) 57 at para. 318.

Concern is expressed over the conditions in places of detention, whether in prisons or curative labour establishments, which do not comply with article 10 of the Covenant or other international standards. Prison overcrowding is a further matter of concern.

- Latvia, ICCPR, A/50/40 vol. I (1995) 62 at para. 347.

The allegations of mistreatment of detainees and the conditions in places of detention, which do not comply with article 10 of the Covenant or other international standards are of concern. The Committee is especially concerned that there do not seem to be clear mechanisms for dealing with complaints of violence by law enforcement authorities and of conditions in detention centres and prisons.

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- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICCPR, A/51/40 vol. I (1996) 13 at para. 63.

It is of concern that many Vietnamese asylum seekers are subject to long-term detention and that many are held under deplorable living conditions that raise serious questions under articles 9 and 10 of the Covenant.

- Estonia, ICCPR, A/51/40 vol. I (1996) 19 at para. 131.

Immediate steps should be taken to ensure that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person, in conformity with articles 7 and 10 of the Covenant.

- Spain, ICCPR, A/51/40 vol. I (1996) 24 at para. 180.

The poor prison conditions that exist in most prisons, generally resulting from overcrowding which deprives those detained of the rights guaranteed in article 10 of the Covenant is deplored.

- Guatemala, ICCPR, A/51/40 vol. I (1996) 33 at para. 245.

Educational programmes should be devised so that all segments of the population, in particular members of the army, the security forces and the police, as well as present and former members of the Civil Self-Defence Patrols, develop a culture of tolerance and respect for human rights and human dignity.

- Nigeria, ICCPR, A/51/40 vol. I (1996) 37 at para. 282.

The Committee is concerned that, under Nigerian law, the death penalty may be imposed for crimes which do not constitute "the most serious offences", as required by article 6 of the Covenant and that the number of death sentences passed and actually carried out is very high. The fact that sentences of death are passed without the safeguard of a fair trial violates the provisions of articles 14 (1) and 6 of the Covenant. Public executions are also incompatible with human dignity.

- Brazil, ICCPR, A/51/40 vol. I (1996) 44 at para. 330.

It is stressed that the State party has a duty under article 10 of the Covenant to ensure that all persons

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deprived of their liberty are treated with humanity and respect for the inherent dignity of the human person.

- Bolivia, ICCPR, A/52/40 vol. I (1997) 35 at para. 207.

National laws in conflict with the Covenant remain on the books, particularly the Coca and Controlled Substances Law (Law No. 1008). The Committee is particularly concerned that articles 86 and 116 of this law remove the investigating process from judicial control, that the right to bail is severely restricted, that articles 74 and 125 deny the right of detainees who are ill to be treated with humanity, and that other provisions undermine the presumption of innocence (arts. 82 and 117), the right to an impartial tribunal (arts. 82 and 127), the right of defence (art. 117), the right to be tried in one's presence (art. 113) and the right to challenge any aspect of the process (art. 128).

- India, ICCPR, A/52/40 vol. I (1997) 67 at paras. 420 and 441.

Paragraph 420

The size of the country, its huge population, the massive poverty and the great disparities in the distribution of wealth among various social groups affect the advancement of rights. The persistence of traditional practices and customs, leading to women and girls being deprived of their rights, their human dignity and their lives, and to discrimination against members of the underprivileged classes and castes and other minorities, and ethnic, cultural and religious tensions constitute impediments to the implementation of the Covenant.

Paragraph 441

Concern is expressed over the overcrowding and poor health conditions and sanitation in many prisons, the inequality of treatment of prisoners and the lengthy periods of pre-trial detention, all of which are incompatible with articles 9 and 10, paragraph 1, of the Covenant. Therefore, measures should be taken to reduce overcrowding, to release those who cannot be given a speedy trial and to upgrade prison facilities as quickly as possible. In this respect, attention should be given to the United Nations Standard Minimum Rules for the Treatment of Prisoners.

- Senegal, ICCPR, A/53/40 vol. I (1998) 13 at para. 61.

It is regretted that certain traditional cultural attitudes with respect to women are not compatible with their dignity as human beings and continue to hamper their equal enjoyment of rights embodied in the Covenant. The practice of polygamy, which is incompatible with articles 2(1), 3 and 26 of the Covenant, is of particular concern. The persistent custom of female genital mutilation, which violates articles 6 and 7 of the Covenant, and the high rate of maternal mortality which results from that

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practice, from early child birth and from the strict prohibition of abortion is especially disturbing. Judges and lawyers should make use of ordinary criminal law provisions to deal with instances of female genital mutilation until a specific law for this offence, the adoption of which the Committee strongly supports, is enacted. In this regard, the State party should launch a systematic campaign to promote popular awareness of persistent negative attitudes towards women and to protect them against all forms of discrimination; and the State party should abolish practices prejudicial to women's health and to reduce maternal mortality. In the light of these concerns, the State party should bring its legislation, including family and inheritance laws, into conformity with articles 2(1), 3, 6, 7, 23 and 26 of the Covenant.

- Jamaica, ICCPR, A/53/40 vol. I (1998) 15 at para. 80.

The incidence of domestic violence against women is of concern. Therefore, increased efforts should be made to sensitize the population to the need to respect women's dignity, legislation should ensure ready access to remedies for violations of women's human rights, and social and educational programmes should be pursued to ensure the upholding of women's rights by way of abolishing all discrimination.

- Sudan, ICCPR, A/53/40 vol. I (1998) 22 at para. 120.

Flogging, amputation and stoning, which are recognized as penalties for criminal offences, are not compatible with the Covenant. Penalties which are inconsistent with articles 7 and 10 must be abolished.

- Lithuania, ICCPR, A/53/40 vol. I (1998) 30 at para. 171.

It is of concern that most prisons, especially places of pre-trial confinement, are overcrowded. Therefore, the necessary measures should be taken to ensure that the conditions of detention of persons deprived of their liberty comply with article 10 of the Covenant, taking into account the Committee's General Comment No. 21 (44) and the United Nations Standard Minimum Rules for the Treatment of Prisoners.

- Zimbabwe, ICCPR, A/53/40 vol. I (1998) 35 at para. 220.

The conditions of overcrowding and disease in most prisons, resulting in a high incidence of death, should be remedied in compliance with article 10 of the Covenant.

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- Libyan Arab Jamahiriya, ICCPR, A/54/40 vol. I (1999) 32 at para. 130.

Deep concern is expressed over persistent allegations of systematic use of torture and cruel, inhuman or degrading treatment or punishment. A more efficient system should be enforced for monitoring treatment of all detainees, so as to ensure that their rights under articles 7 and 10 of the Covenant are fully protected. The State party is urged to ensure that all cases of alleged torture or ill-treatment be investigated by an impartial body, that the results of such investigations be published and that officials responsible for torture and ill-treatment be prosecuted and, if convicted, severely punished. Training courses on human rights should be conducted for law enforcement personnel.

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at paras. 163 and 169.

Paragraph 163

The conditions under which persons are held on death row are of serious concern. In particular, the undue restrictions on visits and correspondence and the failure to notify the family and lawyers of the prisoners on death row of their execution are incompatible with the Covenant. The conditions of detention on death row should be made humane in accordance with articles 7 and 10, paragraph 1, of the Covenant.

Paragraph 169

The Committee is deeply concerned about many aspects of the prison system in Japan which raise serious questions of compliance with articles 2, paragraph 3 (a), 7 and 10 of the Covenant, specifically:

- (a) Harsh rules of conduct in prisons that restrict the fundamental rights of prisoners, including freedom of speech, freedom of association and privacy;
- (b) Use of harsh punitive measures, including frequent resort to solitary confinement;
- (c) Lack of fair and open procedures for deciding on disciplinary measures against prisoners accused of breaking the rules;
- (d) Inadequate protection for prisoners who complain of reprisals by prison warders;
- (e) Lack of a credible system for investigating complaints by prisoners; and
- (f) Frequent use of protective measures, such as leather handcuffs, that may constitute cruel and inhuman treatment.

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- Lesotho, ICCPR, A/54/40 vol. I (1999) 51 at para. 255.

The practice of female genital mutilation is contrary to human dignity and violates various human rights, including the right to life and the right to protection against cruel, inhuman and degrading treatment. The practice should be made punishable under law and educational programmes should be undertaken in this regard.

- Kyrgyzstan, ICCPR, A/55/40 vol. I (2000) 57 at para. 398.

The State party must ensure that all persons deprived of their liberty are treated with humanity and respect for their inherent dignity. Specifically, it must ensure that all detainees are afforded adequate food and medical care.

- Ireland, ICCPR, A/55/40 vol. I (2000) 61 at para. 446.

Despite the many improvements in prison conditions, further efforts should be made to ensure that all prisons and detention centres are brought up to the minimum standards required to ensure respect for the human dignity of detainees and to avoid overcrowding, in accordance with article 10. The Independent Prison Authority, whose establishment is envisaged in a current bill, should have power and resources to deal with complaints of abuse made by prisoners.

- Denmark, ICCPR, A/56/40 vol. I (2001) 34 at para. 73(13).

The extended use of solitary confinement for persons incarcerated following conviction, and especially for those detained prior to trial and conviction, is of particular concern. Solitary confinement is a harsh penalty with serious psychological consequences and is justifiable only in case of urgent need; the use of solitary confinement other than in exceptional circumstances and for limited periods is inconsistent with article 10, paragraph 1, of the Covenant. The practice of solitary confinement should be reconsidered so as to assure that it is imposed only in cases of urgent need.

- Argentina, ICCPR, A/56/40 vol. I (2001) 38 at para. 74(11).

That prison conditions fail to meet the requirements of articles 7 and 10 of the Covenant is of deep concern. The severe overcrowding and the poor quality of basic necessities and services, including food, clothing and medical care, are incompatible with the right to be treated with humanity and with respect for the inherent dignity of the human person to which all persons are entitled. It has been established, in addition, that there are abuses of authority by prison officials, such as torture and ill-

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treatment, and corruption. While noting the plans under way to construct new prison facilities, immediate attention should be paid to the need to provide adequately for the basic necessities of all persons deprived of their liberty.

- Venezuela, ICCPR, A/56/40 vol. I (2001) 49 at para. 77(11).

Conditions in prisons and places of detention are of concern, since the delegation itself acknowledged that most human rights violations in Venezuela occur in such places. The overcrowding and failure to segregate detainees awaiting judgment from convicts are incompatible with the Covenant. The recently established institutional mechanisms (supervising prosecutors and prison-supervising judges) for supervising conditions in prisons and investigating the complaints of prisoners should be strengthened with a view to the implementation of articles 7 and 10 of the Covenant.

- Dominican Republic, ICCPR, A/56/40 vol. I (2001) 54 at para. 78(12).

The power to hold prisoners incommunicado continues to provoke deep concern. The State party should revise the law to ensure that detention incommunicado does not violate articles 7, 9 and 10 of the Covenant.

- Uzbekistan, ICCPR, A/56/40 vol. I (2001) 59 at paras. 79(9), 79(10), 79(21) and 79(27).

Paragraph 79(9)

Conditions in detention centres and penal institutions in Uzbekistan continue to be of concern. Numerous allegations of deaths in prisons and the return of marked and bruised corpses to the families of detainees are of particular concern. The State party should ensure that measures are taken to improve conditions in detention centres and penal institutions so that they are compatible with articles 7 and 10 of the Covenant. The State party should ensure that all persons deprived of their liberty are treated with humanity and respect for their dignity, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.

Paragraph 79(10)

Information about the extremely poor living conditions of detainees on death row, including the small size of cells, and the lack of proper food and exercise, is of particular concern. The State party should take immediate action to improve the situation of death row inmates in order to bring their conditions in line with the requirements of article 10, paragraph 1, of the Covenant.

Paragraph 79(21)

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Cases of children being detained, arrested and held in custody without being able to exercise their right to a lawyer, and subjected to ill-treatment and unlawful investigative methods, in contravention of articles 7, 10, and 24 of the Covenant, are of concern. The lack of information on this subject and on the policy the State party intends to pursue to address this problem is also of concern. The State party should enact a new criminal procedure law to deal specifically with juveniles.

Paragraph 79(27)

While the establishment of a 24-hour confidential telephone line through which any citizen can report improper actions by officials is noted, the intimidation and harassment of individuals, particularly those, including human rights defenders, who complain about ill-treatment and torture by public officials (articles 7 and 10 of the Covenant) continues to be of concern. The State party must protect all individuals from harassment and ensure that persons whose rights and freedoms have allegedly been violated have an effective remedy in accordance with article 2, paragraph 3, of the Covenant.

- Syrian Arab Republic, ICCPR, A/56/40 vol. I (2001) 70 at para. 81(13).

The many allegations of inhumane prison conditions and inadequate medical care in a number of prisons, particularly military prisons, including Tadmur prison remain of concern. Steps should be taken to improve prison conditions in these facilities. It must be ensured that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person. Appropriate and timely medical care must be available to all detainees.

- Democratic People's Republic of Korea, ICCPR, A/56/40 vol. I (2001) 98 at para. 86(16).

The Committee is concerned about the many allegations of cruel, inhuman and degrading treatment and conditions and of inadequate medical care in reform institutions, prisons and prison camps, which appear to be in violation of articles 7 and 10 of the Covenant and of the United Nations Standard Minimum Rules for the Treatment of Prisoners. The State party should take steps to improve conditions in the above facilities and all other facilities of detention. All persons deprived of their liberty must be treated with humanity and with respect for the inherent dignity of the human person, as required by article 10 of the Covenant. Sufficient food and appropriate and timely medical care must be available to all detainees. The State party should allow for independent internal and international inspection of prisons, reform institutions, and other places of detention or imprisonment.

ICESCR

- Colombia, ICESCR, E/1992/23 (1991) 68 at para. 321.

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Concern is expressed that education in human rights as called for in article 13 (1) of the Covenant is currently being given only to members of the judiciary and police force. Human rights education needs to extend to all constituents of the nations if it is to achieve its goal-the full development of the human personality and the sense of its dignity, and strengthened respect for human rights and fundamental freedoms.

- Russian Federation, ICESCR, E/1998/22 (1997) 27 at para. 122.

Assistance to those who live in poverty should be increased, and adequate financial resources should be made available so that they can live in dignity. Similar efforts should be undertaken on behalf of pensioners, many of whom live in serious financial difficulty. Greater efforts should be made to target social welfare expenditure to the truly needy sectors of the population.

- Libyan Arab Jamahiriya, ICESCR, E/1998/22 (1997) 38 at para. 190.

The status and working conditions of foreign workers should be improved without undue delay, and these persons should be treated with dignity and be enabled to benefit fully from the rights enshrined in the Covenant.

- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at para. 187.

While acknowledging that progress has been made in relation to housing, deep concern remains that the right to housing of many people remains unfulfilled. Bed-space apartments, or cage homes are an affront to human dignity and roof-top structures constitute a grave risk to the life and health of their inhabitants.

- Bolivia, ICESCR, E/2002/22 (2001) 52 at para. 272.

The method for determining minimum wage is arbitrary, and the current level of minimum wage does not secure living in dignity for the affected workers and their families.

- Germany, ICESCR, E/2002/22 (2001) 97 at paras. 666 and 684.

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Paragraph 666

Grave concern is expressed about inhumane conditions in nursing homes owing to structural deficiencies in nursing, as confirmed by the Medizinischer Dienst der Spitzenverbände der Krankenkassen (Medical Service of the national associations of health insurance funds).

Paragraph 684

Urgent measures should be adopted to improve the situation of patients in nursing homes.

CEDAW

- Turkey, CEDAW, A/52/38/Rev.1 part I (1997) 24 at paras. 178 and 181.

Paragraph 178

The practice of forced gynaecological examinations of women in the investigation of allegations of sexual assault, including of women prisoners while in custody is noted with grave concern. Such coercive practices are degrading, discriminatory and unsafe and constitute a violation by state authorities of the bodily integrity, person and dignity of women.

Paragraph 181

The pervasive violence, in all its forms, perpetrated against women and girls and the inadequacy of legal and educational measures to combat such violence is of concern. That neither its General Recommendation 19 on violence against women nor the Declaration on the Elimination of Violence against Women, adopted by the General Assembly in its resolution 48/104 of 20 December 1993, had been taken into consideration is also a concern. The law categorizing violence as "crime against public decency and public order" contradicted the spirit of the Convention and contravened the dignity of the person.

- Algeria, CEDAW, A/54/38/Rev.1 part I (1999) 12 at para. 91.

The fact that the Family Code still contains many discriminatory provisions which deny Algerian women their basic rights, such as free consent to marriage, equal rights to divorce, sharing of family and child-rearing responsibilities, shared child custody rights with fathers, the right to dignity and self-respect and, above all, the elimination of polygamy is a serious concern.

CAT

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- Switzerland, CAT, A/49/44 (1994) 20 at para. 135.

It is essential that any asylum-seeker whose case is being considered with a view to return or regularization of his situation be treated with due consideration for his dignity and be protected against any measure that deprives him of his liberty.

- Cuba, CAT, A/53/44 (1998) 12 at paras. 110 and 111.

Paragraph 110

The failure to establish a specific crime of torture as required by the Convention leaves a gap in the application of its provisions that is not filled by any of the existing offences directed against violations of the bodily integrity or the dignity of the individual.

Paragraph 111

The information disclosed in some reports suggests serious violations of the Convention occur with regard to arrest, detention, prosecution, access to counsel and imprisonment of individuals, especially persons referred to in the reports as dissidents, and that serious violations occur in prisons affecting the safety, dignity and health of prisoners.

- United States of America, CAT, A/55/44 (2000) 31 at para. 179.

Concern is expressed over alleged cases of sexual assault upon female detainees and prisoners by law enforcement officers and prison personnel. Female detainees and prisoners are also very often held in humiliating and degrading circumstances.

- Australia, CAT, A/56/44 (2001) 22 at paras. 52 and 53.

Paragraph 52

Concern is expressed about the following:

Use of instruments of physical restraint that may cause unnecessary pain and humiliation by prison authorities.

Allegations of excessive use of force or degrading treatment by police forces or prison guards.

Paragraph 53

The State party should keep under constant review the use of instruments of restraint that may cause

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unnecessary pain and humiliation, and ensure that their use is appropriately recorded.

CRC

- Russian Federation, CRC, CRC/C/16 (1993) 21 at para. 87.

Alternatives to institutionalization in boarding schools, such as foster care, should be actively sought. Further training of personnel in all institutions such as social, legal or educational workers is recommended. An important part of such training should be to emphasize the promotion and protection of the child's sense of dignity and the issue of child neglect and maltreatment. Mechanisms to evaluate the ongoing training of personnel dealing with children are also required.

- Egypt, CRC, CRC/C/16 (1993) 24 at para. 106.

Adequate protection should be afforded to children in conflict with the law. The appropriate amendments should be made to the Juveniles Act No. 31 of 1974 to adequately reflect the provisions of the Convention as well as other international standards in this field, such as the "Beijing Rules", the "Riyadh Guidelines" and the Rules for the Protection of Juveniles Deprived of their Liberty. In that regard, it is suggested that the general principles relating to the best interests and dignity of the child and its role into society be taken into account. Deprivation of liberty should always be envisaged as the very last resort, and particular attention should be paid to rehabilitation measures, psychological recovery and social reintegration. Furthermore, deprivation of liberty in social care institutions should be regularly monitored by a judge or an independent body.

- Peru, CRC, CRC/C/20 (1993) 16 at para. 70.

Investigations should be conducted into cases of extrajudicial executions, disappearances and torture which are carried out in the context of the internal violence prevailing in several parts of the country. Those accused of such abuses should be tried and, when found guilty, punished. Furthermore, special measures should be taken to ensure that children are protected against the occurrence of such human rights violations and that they benefit from recovery and reintegration programmes in an environment which fosters the dignity and the self-confidence of the child.

- Ukraine, CRC, CRC/C/46 (1995) 11 at para. 75.

The clear prohibition of torture or other cruel, inhuman or degrading treatment or punishment, as well

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as a ban on corporal punishment in the family, should be reflected in the national legislation. Procedures and mechanisms should be developed to monitor complaints of maltreatment and cruelty within or outside the family. Special programmes should be set up to promote physical and psychological recovery and social reintegration of child victims of any form of neglect, abuse, exploitation, torture or ill-treatment in an environment which fosters the health, self-respect and dignity of the child.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 228.

Further efforts are required to ensure the active participation of disabled children in the community in conditions which ensure their dignity and promote their self-reliance, as well as to ensure that disabled children are separated from adults suffering from mental ill-health.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), CRC, CRC/C/57 (1996) 23 at para. 151.

Further attitudinal changes in society are required, not only as regards the non-acceptance of corporal punishment and physical and psychological abuse, but also greater respect for the inherent dignity of the child.

- Algeria, CRC, CRC/C/66 (1997) 35 at para. 260.

In the implementation of special rules and regulations relating to terrorist and subversive activities, special attention should be given to the implementation of articles 37 (a), (c) and (d), and 40, paragraph 3, of the Convention.

- Australia, CRC, CRC/C/69 (1997) 16 at para. 108.

All appropriate measures, including of a legislative nature, should be taken to prohibit corporal punishment in private schools and at home. Awareness-raising campaigns should be conducted to ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity.

- Libyan Arab Jamahiriya, CRC, CRC/C/73 (1998) 9 at para. 57.

All appropriate measures, including of a legislative nature, should be taken with the aim of prohibiting

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corporal punishment at home. Awareness-raising campaigns should be conducted to ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity.

See also:

- Ireland, CRC, CRC/C/73 (1998) 14 at para. 101.

- Iraq, CRC, CRC/C/80 (1998) 15 at para. 77.

All appropriate measures should be taken, including of a legislative nature, with the aim of prohibiting corporal punishment at all levels of society. Awareness-raising campaigns should be conducted to ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity.

- Kuwait, CRC, CRC/C/80 (1998) 28 at para. 139.

All appropriate measures, including of a legislative nature, should be taken to prohibit corporal punishment in schools, in the family and other institutions, and in society at large. Awareness-raising campaigns should be conducted to ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity.

- Chad, CRC, CRC/C/87 (1999) 45 at para. 186.

Inadequate enforcement of existing legislation to ensure that children are treated with humanity and respect for the inherent dignity of the human person is of concern. Prompt consideration should be given to the possibility of ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

- Vanuatu, CRC, CRC/C/90 (1999) 29 at para. 151.

Measures taken to raise awareness of the negative effects of corporal punishment and to ensure that alternative forms of discipline are administered in families, schools, and care and other institutions, in a manner that is consistent with the child's dignity should be reinforced. In this connection, counseling and other programmes should be provided for parents, teachers and professionals working in institutions to encourage their use of alternative forms of punishment. In addition, all necessary measures should be taken to ensure the full and effective implementation of the ban on corporal punishment in schools.

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- Grenada, CRC, CRC/C/94 (2000) 72 at para. 404.

The State party should take all appropriate measures, including of a legislative nature, to prohibit corporal punishment within the family, schools, the juvenile justice and alternative care systems and generally within society. Awareness raising campaigns should be conducted to ensure that alternative forms of discipline are administered in a manner consistent with the child's human dignity and in conformity with the Convention, especially article 28(2).

See also:

- United Kingdom of Great Britain and Northern Ireland (Isle of Man), CRC, CRC/C/100 (2000) 31 at para. 191.
 - United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at para. 244.
 - Marshall Islands, CRC, CRC/C/100 (2000) 89 at para. 520.
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- South Africa, CRC, CRC/C/94 (2000) 81 at para. 441.

While corporal punishment is prohibited by law in schools, care institutions and the juvenile justice system, concerns remain corporal punishment is still permissible within families and that it is still regularly used in some schools and care institutions as well as generally within society. It is recommended that the State party take effective measures to prohibit by law corporal punishment in care institutions. The State party should reinforce measures to raise awareness on the negative effects of corporal punishment and change cultural attitudes to ensure that discipline is administered in a manner consistent with the child's dignity and in conformity with the Convention. It is also recommended that the State party take effective measures to prohibit by law the use of corporal punishment in the family and, in this context, examine the experience of other countries that have already enacted similar legislation.

- Georgia, CRC, CRC/C/97 (2000) 18 at para. 111.

A code of standards should be established to ensure that children deprived of a family environment receive adequate care and protection. The State party should reinforce its efforts to provide additional training, including in children's rights, for the staff of institutions; ensure the periodic review of placements in institutions; and establish an independent complaint mechanism for children in alternative care institutions. The State party is encouraged to introduce measures to guarantee and protect the human dignity of children living in institutions and to make these institutions more child friendly. The State party is also encouraged to increase the level of resources allocated for the

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protection and care of children deprived of a family environment. Finally, it is recommended that the State party increase its efforts to prevent institutionalization and pay special attention in that regard to vulnerable families by, for example, providing them with adequate support services.

- Suriname, CRC, CRC/C/97 (2000) 84 at paras. 481 and 482.

Paragraph 481

Concern is expressed about the incidence of police brutality and the inadequate enforcement of existing legislation to ensure that children are treated with respect for their physical and mental integrity and their inherent dignity.

Paragraph 482

It is recommended that all appropriate measures be taken to implement fully the provisions of articles 37 (a) and 39 of the Convention. In this regard, greater efforts should be made to prevent police brutality and ensure that child victims are provided adequate treatment to facilitate their physical and psychological recovery and social reintegration and that perpetrators are sanctioned.

See also:

- South Africa, CRC, CRC/C/94 (2000) 81 at para. 434.
- Lithuania, CRC, CRC/C/103 (2001) 47 at para. 277.

In light of articles 19, 28 (2) and 37 of the Convention, the State party should adopt appropriate legislative measures to explicitly prohibit the use of any form of corporal punishment within the family. Measures should be developed to raise awareness on the harmful effects of corporal punishment with a view to changing the general attitude towards this practice. The State party should promote alternative forms of discipline in families, schools and other institutions, administered in a manner consistent with the child's dignity and in conformity with the Convention. The ban on corporal punishments in schools and other institutions should be enforced.

See also:

- Latvia, CRC, CRC/C/103 (2001) 9 at para. 55.
- Saudi Arabia, CRC, CRC/C/103 (2001) 71 at para. 408.

The State party should take all necessary steps to end the imposition of corporal punishment,

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including flogging and other forms of cruel, inhuman or degrading treatment and punishment, on persons who may have committed crimes when they were under 18. All appropriate measures should be taken to ensure that law enforcement officials respect and protect human dignity and maintain and uphold the human rights of all persons in the course of their duties.

- Turkey, CRC, CRC/C/108 (2001) 18 at para. 128.

In the light of articles 3, 19 and 28(2) of the Convention, the State party is encouraged to develop measures to raise awareness of the harmful effects of corporal punishment and to promote alternative forms of discipline in families that are administered in a manner consistent with the child's dignity and in conformity with the Convention. The ban on corporal punishments in schools and other institutions should be enforced effectively.

- United Republic of Tanzania, CRC, CRC/C/108 (2001) 71 at paras. 388 and 389.

Paragraph 388

There is concern about the incidence of police brutality, particularly against children living and/or working on the streets, refugee children and those in conflict with the law. Concern is also expressed about the inadequate enforcement of existing legislation to ensure that all children are treated with respect for their physical and mental integrity and their inherent dignity.

Paragraph 389

It is strongly recommended that all appropriate measures be taken to fully implement the provisions of articles 37 (a) and 39 of the Convention. In this regard, greater efforts should be made to prevent police brutality and to facilitate the recovery of child victims through rehabilitation and compensation. Additionally, effective measures should be taken to ensure that the perpetrators of brutality against children are brought to justice.

See also:

- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 116 and 117.

- Monaco, CRC, CRC/C/108 (2001) 97 at para. 514.

The practice of corporal punishment in the family should be prohibited. Information campaigns should be conducted that target, among others, parents, children, law enforcement and judicial

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officials and teachers. These campaigns should explain children's rights in this regard and encourage the use of alternative forms of discipline in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28(2).

See also:

- Mauritania, CRC, CRC/C/111 (2001) 8 at para. 57.