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III. CONCLUDING OBSERVATIONS

CERD

- Sudan, CERD, A/49/18 (1994) 72 at paras. 472 and 476.

Paragraph 472

Deep concern is expressed over the large number of Sudanese who have become homeless as a result of the continuing conflict and who remain either internally displaced or as refugees living outside the country.

Paragraph 476

Support is expressed for all efforts to end the continuing conflict with the aim of restoring the rule of law and respect for human rights, particularly with regard to the elimination of all forms of racial discrimination. In that connection, concrete steps should be taken to encourage the voluntary return of all refugees and persons displaced in the conflict.

- Croatia, CERD, A/50/18 (1995) 40 at para. 168.

Great concern has been expressed concerning the earlier intention of the State party not to permit the military, civilian and police components of the United Nations Protection Force to remain in the country. It is considered that withdrawal may have the gravest implications for minority ethnic groups and displaced persons in the United Nations Protected Areas (UNPAs), the demilitarized zone and elsewhere.

- Bosnia and Herzegovina, CERD, A/50/18 (1995) 47 at para. 219.

Grave concern and condemnation is expressed at the massive, gross and systematic human rights violations occurring in the territory of Bosnia and Herzegovina, most of which are committed in connection with the systematic policy of "ethnic cleansing" and genocidal acts in the areas under the control of the self-proclaimed Bosnian Serb authorities. All these practices, which are still occurring, constitute a grave violation of all the basic principles underlying the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee urges the immediate reversal of ethnic cleansing which must begin with the voluntary return of displaced people.

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- Zimbabwe, CERD, A/51/18 (1996) 21 at para. 87.

Satisfaction is expressed concerning the land resettlement programmes undertaken by the authorities, *inter alia*, to provide land to the landless and displaced persons and to support and promote emergent black large-scale commercial farming and a more balanced racial composition of the large-scale commercial farming sector.

- Russian Federation, CERD, A/51/18 (1996) 27 at para. 145.

The situation in Ingushetia and North Ossetia is a further matter of deep concern. Large numbers of Ingush exiles are being denied by the North Ossetian authorities the right to return freely to their regions of origin, particularly the Prigoradnyi district, in spite of the Law on Rehabilitation of Repressed Peoples.

- Zaire, CERD, A/51/18 (1996) 72 at para. 520.

Reports of alleged regional "ethnic cleansing" in Shaba against the Kasai ethnic group, which led to their massive displacement to other parts of the country, and of attacks and widespread discrimination against Rwandan and Burundian refugees, are a subject of great concern.

- Philippines, CERD, A/52/18 (1997) 58 at para. 425.

In connection with article 5 (d) (i) and (v) of the Convention, concern is expressed at reports of forced evictions and displacements of indigenous populations in development zones, as well as at reports that specific groups of indigenous peoples have been denied by force the right to return to some of their ancestral lands.

- Burundi, CERD, A/52/18 (1997) 75 at para. 577.

Concern is expressed over reports that people, mostly of Hutu origin, are forced by the police to leave their homes and settle in regroupment camps, which are kept under the control of the army, in violation of article 5 (d) (i) of the Convention.

- Russian Federation, CERD, A/53/18 (1998) 28 at para. 48.

The State party should reinforce its measures to protect human rights in Chechnya, Ingushetia and

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North Ossetia. Measures should be taken, in particular, to ensure that serious breaches of international humanitarian law do not remain unpunished and that the victims are afforded just and adequate reparation, and also to ensure normal conditions of life and return for displaced persons.

- Israel, CERD, A/53/18 (1998) 32 at para. 85.

The right of many Palestinians to return and possess their homes in Israel is currently denied. The State party should give high priority to remedying this situation. Those who cannot repossess their homes should be entitled to compensation.

- Yugoslavia, CERD, A/53/18 (1998) 47 at para. 203.

The disproportionate use of force by law enforcement agencies and the military against the Albanian population in the province of Kosovo and Metohija has resulted in numerous violations of the right to life, destruction of property and displacement.

- Croatia, CERD, A/53/18 (1998) 60 at para. 315.

Concern is expressed at the serious difficulties and violence encountered by returnees and displaced persons, particularly ethnic Serbs, in returning to areas of origin, or by refugees when claiming their right to have property restored to them or to receive compensation upon return to their place of origin. Attention is called to general recommendation XXII (49) of 16 August 1996 concerning the rights of refugees and displaced persons.

- Nepal, CERD, A/53/18 (1998) 75 at para. 441.

The State party should fully observe the human rights of refugees and displaced persons of Bhutan and should negotiate with the Government of Bhutan towards a peaceful solution of this important issue.

- Iraq, CERD, A/54/18 (1999) 36 at para. 349.

It is noted with concern that the situation prevailing in the northern governorates has caused much suffering and the forced displacement of a large part of the population, including members of ethnic groups living in the area.

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- Colombia, CERD, A/54/18 (1998) 45 at paras. 467, 468, and 478.

Paragraph 467

Emphasizing that the widespread violence which plagues the State party has led to one of the world's largest populations of internally displaced persons, concern is expressed that measures by the State party to assist the displaced have been limited and that some internally displaced persons have been forced to return to regions where minimal conditions of safety could not be guaranteed.

Paragraph 468

Within the community of displaced persons, women are disproportionately represented. Thus, concern is expressed that government programmes are not responsive to the needs of many indigenous and Afro-Colombian women who are subjected to multiple forms of discrimination based on their gender and their race or ethnicity, and their displaced status.

Paragraph 478

The State party is urged to take comprehensive steps to protect the security and promote the well-being of the internally displaced population, consisting mainly of persons of the indigenous and Afro-Colombian communities, and as a matter of extreme priority, to guarantee the security of indigenous and Afro-Colombian community leaders and human rights defenders across the country who have sought to protect the rights of those communities.

- Azerbaijan, CERD, A/54/18 (1999) 47 at para. 497.

The State party should utilize all available means, including international cooperation, to ameliorate the situation of displaced persons and refugees, especially regarding their access to education, employment and housing, pending their return to their houses under conditions of safety.

- Guinea, CERD, A/54/18 (1999) 49 at para. 533.

Concern is expressed about the destruction by the State of more than 10,000 homes, belonging mainly to members of the Puhlar ethnic group; the resulting riots which led to the death of eight persons; and the inter-ethnic tension which remains in that area. The lack of compensation for those persons whose property was expropriated is also of concern.

- Rwanda, CERD, A/55/18 (2000) 31 at para. 149.

While noting that the State party's measures to relocate large groups of the population to semi-urban

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locations are intended to improve access to water, health and other services, reports of forced relocations and that some relocated persons do not have access to adequate housing are of concern. The State party should ensure that all relocations are made on a non-discriminatory basis and that relocated persons enjoy, without discrimination, the rights listed in article 5 of the Convention.

- Sudan, CERD, A/56/18 (2001) 40 at paras. 213 and 214.

Paragraph 213

Deep concern is expressed about the forced relocation of civilians from the Nuer and Dinka ethnic groups in the upper Nile region and reports that the relocations involved significant military force resulting in civilian casualties. The State party is urged to uphold the fundamental economic and social rights of the Nuer and Dinka in the upper Nile region including the right to personal security, to housing, food and to just compensation for property confiscated for public use.

Paragraph 214

Concern remains about the large number of internally displaced communities within the territory of the State party, due to the civil war and natural disasters. The Committee reiterates its recommendation to the State party to consider giving effect to the provisions of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) of the Special Representative of the UN Secretary General on Internally Displaced Persons and to implement the right to free return of all displaced persons to their homes of origin under conditions of safety. It further urges the State party to do everything in its power to achieve a peaceful settlement of the war, which undermines efforts of combating ethnic, racial and religious discrimination.

- Sri Lanka, CERD, A/56/18 (2001) 56 at paras. 327 and 333.

Paragraph 327

The statement by the Government that it will continue to provide food and other kinds of relief to displaced and other needy citizens is welcomed.

Paragraph 333

Concern is expressed about the situation of civilians living in the north and east of the country, and particularly about those persons internally displaced by the conflict. The State party should continue to provide assistance to the civilian population in the north and eastern provinces and cooperate with humanitarian agencies.

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ICCPR

- Russian Federation, ICCPR, A/50/40 vol. I (1995) 65 at paras. 389, 402 and 406.

Paragraph 389

The excessive and disproportionate use of force by Russian forces in Chechnya, indicating grave violations of human rights is deplored. The fact that no one has been made responsible for the inhumane treatment of prisoners and other detained persons, that investigations on charges of human rights violations by Russian forces, including killing of civilians, have so far been inadequate, that civilian installations such as schools and hospitals were destroyed by government forces, and that a large number of civilians have been killed or displaced as a consequence of the destruction of their homes is further deplored.

Paragraph 402

Appropriate and effective measures should be adopted to enable all persons displaced as a consequence of the events that occurred in North Ossetia in 1992 to return to their homeland.

Paragraph 406

Adequate measures should be adopted to alleviate the conditions of all displaced persons following the fighting in Chechnya, including measures aimed at facilitating their return to their towns and villages.

- Denmark, ICCPR, A/52/40 vol. I (1997) 14 at para. 69.

Concern is expressed at the long delay in resolving the dispute arising from the claim for compensation by members of the indigenous minority of Greenland in respect of their displacement from their lands and loss of traditional hunting rights as a result of the construction of the military base at Thule. Further concern is expressed that the people of Greenland are not able to enjoy fully certain Covenant rights and freedoms, including those provided for in article 12.

- Israel, ICCPR, A/53/40 vol. I (1998) 45 at paras. 309 and 319.

Paragraph 309

Palestinians in the occupied territories who remain under the control of Israeli security forces do not enjoy the same rights and freedoms as Jewish settlers in those territories, particularly in regard to planning and building permits and access to land and water. The policies of confiscation of lands and settlement in the occupied territories are also of concern. Coordinated and targeted efforts should be made to establish basic standards that are applicable equally to all persons under the jurisdiction of Israel.

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Paragraph 319

The increasingly restrictive conditions for maintaining the right to permanent residence, the denial of requests for family reunification and the difficulty experienced by non-Jews in obtaining building permits and accommodation have resulted in increasing numbers being forced to move to the occupied territories. Profound concern is expressed at the effect of the unpublished directive of the Ministry of the Interior, under which Palestinians may lose their right to live in the city if they cannot prove that East Jerusalem has been their "centre of life" for the past seven years. This policy is being applied retroactively to both Palestinians who live abroad and to those who live in the West Bank or in nearby Jerusalem suburbs, but not to Israeli Jews or to foreign Jews who are permanent residents of East Jerusalem. The rules and procedures relating to permanent residency status should be applied without discrimination.

- Uzbekistan, ICCPR, A/56/40 vol. I (2001) 59 at para. 79(16).

The information that more than 1300 Tajiks, citizens of Uzbekistan, were resettled from their villages in the mountains to the steppes of the Sherabad region, about 250 miles away, is of deep concern. While, the State party explained that the action was taken in order to improve the living conditions of the people concerned, it did not refute the information that the resettlement was enforced by military forces, that the Tajiks had to leave their homes without their belongings, and that their villages were subsequently destroyed. The State party should immediately stop any further action to expel people from their homes, in violation of articles 12 and 17 and possibly, in certain situations article 27 of the Covenant. The State party should take steps to compensate the individuals concerned for the loss of their property and their suffering, resulting from their forcible displacement and its aftermath, and to report on their present living conditions.

ICESCR

- Dominican Republic, ICESCR, E/1991/23 (1990) 55 at para. 249.

Deep concern is expressed at the situation of Haitian workers in the State party. The information concerning the massive expulsion of nearly 15,000 families in the course of the last five years, the deplorable conditions in which the families lived, and the conditions in which the expulsions had taken place were deemed sufficiently serious for it to be considered that the guarantees in article 11 of the Covenant had not been respected.

- Lebanon, ICESCR, E/1994/23 (1993) 39 at para. 173.

Concern is expressed over the large number of persons displaced as a result of the armed conflict, and

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the concomitant economic, social and cultural problems. In particular, the serious problems in housing where it concerns displaced persons, especially farmers who have been forced to abandon their lands is cited.

- Paraguay, ICESCR, E/1997/22 (1996) 22 at para. 71.

The plight of the indigenous population, as well as the estimated 200,000 landless mestizo peasant families is of concern. The main reason for hunger and malnutrition among the indigenous population and the deprivation of their rights is linked to the severe problem of obtaining access to traditional and ancestral lands. Though recognized by Law 904/81 and other subsequent laws, this right remains in abeyance. Eighty documented claims for legalizing indigenous access to traditional land have been pending for a number of years. All indigenous groups in the Chaco were expelled from their traditional land by cattle ranchers or industrial enterprises. The Committee is also concerned about the situation of landless peasant families, of whom 50,000, on 15 March 1996, marched on the capital, Asunción, demanding adoption of legislative measures with respect to the land occupied by them and denouncing the Government's failure to fulfil past promises of agrarian reform. In Paraguay today, 5 per cent of the population owns between 60 and 80 per cent of the national territory, a situation fraught with danger for peace and stability.

- Guatemala, ICESCR, E/1997/22 (1996) 29 at paras. 133 and 143.

Paragraph 133

The general situation faced by internally and externally displaced persons remains a serious cause of concern.

Paragraph 143

While taking note of the various measures undertaken to reintegrate returning refugees and internally displaced persons, the need for continued international cooperation in this field is highlighted. Moreover, the careful scrutiny and involvement of the international community in all these efforts will be all the more indispensable in the event of the peace agreement being signed and of the consequent need to reintegrate the demobilized army and guerrilla forces into society and the economy.

- Azerbaijan, ICESCR, E/1998/22 (1997) 61 at para. 341.

Concern is expressed about the shortage of housing, which is compounded by the influx of refugees and displaced persons, and the fact that vulnerable groups and the homeless are not given adequate protection against forced evictions.

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- Sri Lanka, ICESCR, E/1999/22 (1998) 22 at paras. 71 and 86.

Paragraph 71

Grave concern is expressed at the situation of an estimated 800,000 persons displaced because of the armed conflict, many of whom have been living in temporary shelters for the past 15 years and who lack basic sanitation, education, food, clothing and health care. It is reported that Tamil families who were forced by the military to leave their ancestral villages in the Welioya region are among the displaced. The results of an independent survey which estimated the incidence of undernourishment of women and children living in temporary shelters to be as high as 70 per cent, and the reports that, in many cases, food assistance did not reach the intended beneficiaries is alarming.

Paragraph 86

Mechanisms should be established to facilitate the flow of humanitarian assistance and to strictly monitor and ensure that the intended recipients actually receive the assistance. In particular, the Government should seek further international assistance in its efforts to provide permanent housing to displaced persons who have been living in "temporary" shelters since the war began 15 years ago. The Government should reassess the food assistance programme already in place in affected areas with a view to improving the nutritional standards of the food provided, particularly to children and expectant and nursing mothers.

- Nigeria, ICESCR, E/1999/22 (1998) 27 at para. 136.

The Government should cease forthwith the massive and arbitrary evictions of people from their homes and should take such measures as are necessary to alleviate the plight of those who are arbitrarily evicted or are too poor to afford decent accommodation. In view of the acute shortage of housing, the Government should allocate adequate resources and make sustained efforts to combat this serious situation.

- Israel, ICESCR, E/1999/22 (1998) 43 at para. 251.

Concern is expressed over the plight of an estimated 200,000 uprooted "present absentees", Palestinian Arab citizens of Israel most of whom were forced to leave their villages during the 1948 war on the understanding that they would be allowed by the Government of Israel to return after the war. Although a few have been given back their property, the vast majority continue to be displaced and dispossessed within the State because their lands were confiscated and not returned to them.

- Georgia, ICESCR, E/2001/22 (2000) 30 at paras. 91 and 103.

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Paragraph 91

The failure to find a satisfactory solution to the problems concerning internally displaced persons is deplored.

Paragraph 103

The State party should take measures to create conditions that would allow internally displaced persons to return to their places of origin.

- Congo, ICESCR, E/2001/22 (2000) 43 at paras. 194, 199, 205 and 207.

Paragraph 194

The Committee takes into account the massive population displacements caused by the violence during the 1997-1999 civil war, which seriously disrupted the functioning of the State public services, economic activity and social stability. The damage inflicted by the civil war has been tentatively estimated at approximately 55 per cent of the gross domestic product projected for 2000.

Paragraph 199

Satisfaction is expressed at the return of a large number of internally displaced persons to their places of origin. Hopefully this process will continue in a peaceful manner.

Paragraph 205

Concern is expressed about the negative effects on the food supply of the violence, population displacements and disruption of production and marketing activities, as noted by the United Nations Food and Agriculture Organization (FAO). Import requirements for the year 2000 in respect of wheat, rice and coarse grains are expected to be approximately 140,000 tonnes, accounting for 97 per cent of total consumption. The United Nations Development Programme, *Human Development Report, 1999* indicates that the daily per capita intake of food in the Congo is 2,107 calories, which is just below the level for countries categorized as having a low human development ratio (2,145 calories). The proportion of the undernourished among the population has increased from 29 per cent in the period 1979-1981 to 34 per cent in 1995-1997.

Paragraph 207

Furthermore, owing to the disruption to the infrastructure of the country, including transportation and communications, humanitarian aid organizations have limited access to displaced groups outside Brazzaville.

- Sudan, ICESCR, E/2001/22 (2000) 57 at paras. 313 and 324.

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Paragraph 313

Grave concern is expressed about the considerable number of internally displaced persons, many of whom are women and abandoned children, who have migrated from the war zones in the south to the north, where they live in abject poverty and without adequate shelter or employment.

Paragraph 324

The State party is urged to address the root causes of the problem of internally displaced persons and in the short and medium term, to cooperate fully with international and non-governmental organizations in the field, in order to provide for adequate (interim) measures ensuring the basic needs of this group, such as adequate basic shelter, employment, food and health care, and the continuation of education for the children.

- Yugoslavia (preliminary), ICESCR, E/2001/22 (2000) 80 at para. 505.

The State party is encouraged to facilitate the return of displaced persons and refugees to their homes under conditions of freedom.

- Senegal, ICESCR, E/2002/22 (2001) 61 at paras. 357 and 378.

Paragraph 357

The reportedly growing number of forced evictions, especially in Dakar is of concern. In particular, there is concern about the plight of some 450 households in the Diamaguène district and some 5,000 inhabitants of the Baraka slum who, in spite of having occupied their dwellings for a long time, are threatened with eviction.

Paragraph 378

The State party should undertake a systematic and comprehensive review of the relevant legislation, administrative policies and procedures to ensure that they comply with the guidelines specified in General Comments No. 4 (1991) on the right to adequate housing (art. 11, para. 1, of the Covenant) and No. 7 (1997) on forced evictions.

- Japan, ICESCR, E/2002/22 (2001) 90 at paras. 606 and 633.

Paragraph 606

It is of concern that despite large resettlement programmes planned and executed by Hyogo Prefecture in the aftermath of the great Hanshin-Awaji earthquake, the population most affected has not always been consulted adequately, and as a consequence, many single older persons now live in

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environments totally unfamiliar to them with little or no personal attention. Apparently, little or no psychiatric or psychological treatment is being offered for people who have lost their families. Many resettled earthquake victims who are over 60 years of age lack community centres, access to health centres and outpatient nursing.

Paragraph 633

Hyogo Prefecture should be encouraged to step up and expand its community services, in particular to older and disabled persons.

CEDAW

- Peru, CEDAW, A/50/38 (1995) 79 at para. 439.

The plight of displaced/refugee women and children in resettlement areas is of special concern.

- Croatia, CEDAW, A/50/38 (1995) 110 at para. 589.

Displaced and refugee women should not be marginalized and they should be provided with the necessary support and assistance by the Croatian Government.

- Rwanda, CEDAW, A/51/38 (1996) 36 at para. 331.

It is necessary to organize a consensus-building discussion concerning the repatriation of Rwandan refugees and internally displaced persons. The international community should only encourage repatriation of refugees when there are clear signs from inside Rwanda that suggest such action.

- Azerbaijan, CEDAW, A/53/38/Rev.1 part I (1998) 7 at para. 62.

Of concern is the fact that paragraph 1 of article 4 of the Convention, which advocates the adoption of temporary special measures aimed at accelerating *de facto* equality between women and men, has not been used to eliminate the inequality between women and men, particularly in the context of the integration of women into politics and employment and with regard to assistance for displaced and refugee women.

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- Colombia, CEDAW, A/54/38/Rev.1 part I (1999) 33 at paras. 398 and 399.

Paragraph 398

Existing programmes should be expanded with a view to improving the status of rural women, particularly among displaced populations, and attention should be focused as a matter of priority, on rural women with a view to improving their health, education and quality-of-life indicators.

Paragraph 399

Programmes should be introduced to improve the enjoyment by rural women and displaced women of their human rights to health and education.

- Georgia, CEDAW, A/54/38/Rev.1 part I (1999) 53 at para. 113.

The needs of internally displaced people, particularly women and children, should be given special attention.

- Democratic Republic of the Congo, CEDAW, A/55/38 part I (2000) 21 at paras. 209 and 217.

Paragraph 209

One of the main obstacles to the full implementation of the Convention is the current war. The State party has been facing economic, social and political problems related to the war, which have had a negative impact on the whole population, particularly on girls and women, who are often victims of rape and gender-based violence, and on most refugees and displaced persons, who are experiencing great hardship.

Paragraph 217

The situation of refugee and displaced women suffering from the consequences of war and the psychological and mental trauma experienced by women and girls as a result of the forced conscription of children, are of concern.

- Burundi, CEDAW, A/56/38 part I (2001) 7 at paras. 52 and 53.

Paragraph 52

Concern is expressed over the situation of displaced women and girls and their living conditions, including in refugee camps.

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Paragraph 53

Greater assistance should be given to refugee and displaced women and girls and rehabilitative efforts should be carried out that are directed at these women and girls. The importance of mainstreaming a gender perspective in all policies and programmes of national and international assistance for displaced people is stressed.

- Guinea, CEDAW, A/56/38 part II (2001) 55 at paras. 117, 140 and 141.

Paragraph 117

It is recognized that the difficult economic situation, the high level of poverty, the presence of one million refugees and displaced persons and armed conflict in the neighbouring countries have a negative impact on the State party's efforts to implement the Convention.

Paragraph 140

While the efforts to host refugees and displaced persons from neighbouring countries and pass legislation to protect the rights of refugees, most of whom are women and children, are commended, concern is expressed at the State party's limited capacity to protect and guarantee the rights of refugees.

Paragraph 141

It is recommended that the Government continue to give assistance to refugees and displaced women and girls and to carry out rehabilitative efforts directed at them. Further assistance should be sought from, and work in close cooperation should be continued with, international agencies qualified in the field of refugee protection.

CAT

- Georgia, CAT, A/56/44 (2001) 35 at para. 80.

The problems and difficulties faced by the State party due to the secessionist conflicts in Abkhazia and South Ossetia following independence and the resulting internal and external mass displacement of a large number of the population is noted. This has created an increased risk of human rights violations.

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CRC

- Peru, CRC, CRC/C/20 (1993) 16 at paras. 61, 64 and 73.

Paragraph 61

The continued violence which has already caused thousands of killings, disappearances and displacements of children and parents is of deep concern. It is therefore necessary that the Peruvian Government and Peruvian society adopt an urgent, effective and fair response to protect the rights of the child.

Paragraph 64

The Committee expresses its concern that stringent budgetary measures amounting to decreases in the resources allocated for social expenditures have entailed high social costs and have adversely affected the rights of the child in Peru. Vulnerable groups of children, including children living in areas affected by the internal violence, displaced children, orphans, disabled children, children living in poverty and children living in institutions are particularly disadvantaged in their access to adequate health and educational facilities and are the primary victims of various forms of exploitation, such as child prostitution.

Paragraph 73

All the necessary steps should be taken to minimize the negative impact of the structural adjustment policies on the situation of children. The authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children. In that regard, particular attention should be paid to the protection of children living in areas affected by internal violence, displaced children, disabled children, children living in poverty and children living in institutions. International assistance will also be needed to address more effectively the challenge of improving the situation of these children.

- El Salvador, CRC, CRC/C/20 (1993) 19 at para. 94.

Urgent measures should be adopted for the protection of children belonging to vulnerable groups, particularly displaced and refugee children, disabled and homeless children, as well as children subject to abuse or violence within the family. Such measures should encompass social assistance and rehabilitation programmes oriented towards those groups of children and should be undertaken, with the cooperation and support of the relevant United Nation agencies and international organizations, in the spirit of article 45 (b) of the Convention.

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- Sudan, CRC, CRC/C/20 (1993) 22 at para. 108.

The effects of emergency situations on children, as well as the problems faced by homeless and internally displaced children, continue to be seriously alarming.

- Sri Lanka, CRC, CRC/C/43 (1995) 26 at para. 158.

The large number of children affected by the armed conflict and especially those who have been displaced and those who have become orphans as a result of the war is of serious concern. The hazardous provision of health services in areas affected by the armed conflict is also worrisome. It is of regret that the initial report of Sri Lanka did not give comprehensive information on the effect of armed conflict on children, their involvement in the armed forces and the way the authorities handle child soldiers as prisoners of war.

- Croatia, CRC, CRC/C/50 (1996) 31 at para. 192.

The major problems experienced as a consequence of war are noted. Special note is taken of an unknown number of children who have suffered the most fundamental violations of their right to life, and the existence of a large population of refugees and displaced persons, exceeding a half million, who are being attended to by international aid.

- Lebanon, CRC, CRC/C/54 (1996) 7 at para. 69.

The relevant international agencies and institutions, as well as other Governments, should develop cooperation with Lebanese authorities and voluntary organizations, in the reconstruction effort after the many years of war and devastation. Displaced persons and refugees should be given priority in such international cooperation.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 200.

Problems relating to the situation of refugees, internally displaced persons and "returnees" have arisen out of the armed conflict. In this connection, the difficult task of meeting the needs and expectations of the population which remained in or fled from the country during the period of armed conflict is recognized.

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- Myanmar, CRC, CRC/C/62 (1997) 25 at para. 174.

Occurrences of forced relocation, displacement and other types of involuntary population movements, which deeply affect families and the rights of children, should be prevented. The central tracing agency should be reinforced to favour family reunification.

- Azerbaijan, CRC, CRC/C/66 (1997) 41 at paras. 269, 288 and 302.

Paragraph 269

The major problems experienced as a consequence of the armed conflict, which has imposed serious hardships on the entire population, including heavy casualties, long-lasting physical, emotional and psychological effects, and the disruption of some basic services, are noted. Particular note is taken of the unknown number of children who have suffered the most fundamental violations of their right to life, and of the existence of a large population of refugees and displaced persons, who are being attended to by international aid.

Paragraph 288

The substantial number of refugees and internally displaced persons resulting from the armed conflict since 1990, especially children, many of whom have been living in tents for three years, is of concern. These children do not always have equal access to basic services, especially health, education and social services.

Paragraph 302

New and creative policies and programmes should be considered to adequately support vulnerable families, particularly those living in poverty or single-parent families. The status of families accommodating refugee or displaced children should be regularized.

See also:

- Uganda, CRC, CRC/C/69 (1997) 21 at para. 138.

- Uganda, CRC, CRC/C/69 (1997) 21 at para. 154.

Special attention should be directed to refugee and internally displaced children to ensure that they have equal access to basic facilities.

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- Russian Federation, CRC, CRC/C/90 (1999) 18 at paras. 113, 118 and 119.

Paragraph 113

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

Paragraph 118

The lack of respect for the rights of children in areas of ongoing armed conflict, the involvement of children in armed conflict, the violations of provisions of international humanitarian law and the number and situation of internally displaced children are matters of particular concern.

Paragraph 119

Protection should be ensured to Children and other civilians during periods of conflict and support and rehabilitative assistance, including psychological aid, should be made available to internally displaced children and children living in regions of armed conflict.

- India, CRC, CRC/C/94 (2000) 10 at para. 85.

In the light of Commission on Human Rights resolution 1993/77, on forced evictions, the State party is encouraged to prevent any occurrence of forced relocation, displacement and other types of involuntary population movements. Resettlement procedures and programmes should include registration, facilitate comprehensive family rehabilitation and ensure access to basic services.

- Sierra Leone, CRC, CRC/C/94 (2000) 24 at paras. 181, 186, 190, 199 and 202.

Paragraph 181

Recognizing the efforts made by the State party to establish schools in displaced persons camps and to raise the levels of enrolment among both girls and boys, the State party is urged to rapidly reopen primary schools in all regions of the country, including in rural areas, so as to ensure that every child has access to primary education.

Paragraph 186

The Committee is deeply saddened by the direct effects of the armed conflict on all child victims, including child combatants, and is concerned at the tragic loss of life and severe psychological trauma inflicted upon them. The very high number of children who have been internally displaced within the country or who have been forced to leave as refugees is also a concern, including, in particular, those who have been separated from their parents.

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Paragraph 190

The State party is urged to make every effort to assist children who have been displaced from their homes to return as soon as possible, including through assistance in the reconstruction of homes and other essential infrastructure, within the framework of international cooperation.

Paragraph 199

Recognizing the State party's efforts in Freetown to combat drug use, the State party is urged to establish similar activities in other towns and in internally displaced persons camps. The State party should seek international cooperation in this domain, including for the provision of psycho-social assistance for addicts.

Paragraph 202

Concern is expressed about reports of commercial sexual exploitation and of widespread sexual abuse of girls within the family, within internally displaced person camps and within communities.

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 132 and 133.

Paragraph 132

The adoption of the Forcibly Displaced Persons-Exiles Act is noted. Note is also taken of the State party's efforts, in cooperation with UNHCR, to provide humanitarian assistance to internally displaced persons, including free health care and education for children. However, their situation remains a concern.

Paragraph 133

The State party should implement the "New Approach" to internal displacement, which is to improve the current conditions of internally displaced persons while continuing to support their right to return voluntarily to their homes in safety and dignity, as developed by UNDP, UNHCR, the World Bank and the Office for the Coordination of Humanitarian Affairs (OCHA) and endorsed by the State party.

- Kyrgyzstan, CRC, CRC/C/97 (2000) 51 at paras. 290 and 291.

Paragraph 290

Concern is expressed that in practice the system of residence registration in Kyrgyzstan may restrict the rights of children belonging to vulnerable groups (e.g. refugees, non-citizens, migrants and persons internally displaced owing to conflict, economic factors, or environmental disasters) to access to health care and other social services. In particular, concern is expressed about reports that officials at the local level are sometimes reluctant to see migrants settle in their jurisdiction and do not observe regulations concerning temporary residence registration. The fact that individuals

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without appropriate documentation for residing in Bishkek risk relocation to another part of the country is a concern.

Paragraph 291

The State party should ensure that the registration system does not pose a barrier to access to services, particularly for the most vulnerable groups. The State party should consider the experience of States that have replaced the *propiska* system with systems which correspond better to international standards in the area of freedom of movement.

- Suriname, CRC, CRC/C/97 (2000) 84 at para. 497.

Concern is expressed about the poor housing situation and living standards of families who fled their homes in the interior during the civil unrest of the 1980s and are currently living in urban squatter communities.

- Djibouti, CRC, CRC/C/97 (2000) 96 at paras. 515 and 551.

Paragraph 515

Note is taken of the problems which have hampered the implementation of the Convention in the State party, in particular the regional conflicts which have led to a significant influx of refugees, the impact of the civil war which ended in 1994, and the continuing violence in the north of the country which has caused internal displacements.

Paragraph 551

The State party should address the social factors preventing vulnerable groups (including women and children) from seeking health care, and particular efforts should be made to reach refugee and displaced children and those living on the streets. The State party is urged to develop effective partnerships with NGOs and civil society groups, and to seek the technical assistance of United Nations agencies such as WHO and UNICEF in this regard.

- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 115, 116, 122-124, 147, 148, 152 and 153.

Paragraph 115

Deep concern is expressed about the extensive violations of the right to life of children by, *inter alia*, armed conflict, deliberate killings by armed persons including members of the armed forces, State regroupment policies, other forms of population displacement, poor health and sanitation facilities, severe malnutrition and related illnesses, and as a result of the prevailing conflict between groups of the population.

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Paragraph 116

The State party is strongly urged to make every effort to reinforce protection of the right to life, survival and development of all children within the State party through policies, programmes and services that target and guarantee protection of this right. The State party is urged to seek as much international assistance as possible in this regard.

Paragraph 122

In the light of article 7 of the Convention, the State party is urged to make every effort to ensure the registration of all children born, taking into account the particular situation of internally displaced persons, including those who have been regrouped, and refugees.

Paragraph 123

Deep concern is expressed about the violations of the rights to freedom of movement and to choose one's residence in the context of the State party's regroupment policy. Concern is also expressed about the large number of children in regroupment camps and the extremely poor conditions in which they have to live, constituting, in many cases, cruel, inhuman and degrading treatment and violating numerous minimum standards with respect to children's rights.

Paragraph 124

The State party is urged to complete, without further delay, the process of closing the regroupment camps and, pending closure, to guarantee respect of all the civil rights and freedoms of children and their families living in such camps.

Paragraph 147

Noting the current efforts to address trauma, concern is expressed at the inadequacy of specialized psychological care in almost all regions of the State party and the substantial need for such assistance among children who have suffered from, *inter alia*, the ongoing armed conflict, displacement, regroupment, sexual abuse and living conditions in camps. The current ratio of mental health workers to population is very low.

Paragraph 148

Efforts should be increased to make psychological assistance available to those children who have experienced trauma and to increase human resources in the area of psychological care by providing specialized mental health training for existing health professionals.

Paragraph 152

Deep concern is expressed at the very large numbers of persons who have become refugees or internally displaced within the country and at the situation of those displaced children who are unaccompanied. The Committee is disturbed in particular by the massive numbers of people who have been forcibly regrouped within the country and by the very poor, sometimes life-threatening conditions in displaced and regrouped persons camps, and the poor health and education services

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available to camp populations. It is noted that the State party has publicly promised to end the regroupment policy, but has failed to do so. It is also noted that efforts to trace the families of unaccompanied children have had limited success.

Paragraph 153

The State party is urged to make every effort to protect the civilian population from displacement and to implement its plans to end regroupment, giving particular attention to the situation of unaccompanied children and the need for effective family tracing. The State party is urged to ensure that all displaced children and their families, including those who have been regrouped, have access to essential health and education services and to consider the need for continued access to such services during the often slow process of return to communities of origin. Assistance should be provided to returning children and their families in re-establishing themselves in their homes. In addition, the State party is urged to continue to work closely with UNHCR towards establishing conditions conducive to the return of refugees in safety and in the context of a durable solution.

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at paras. 253 and 254.

Paragraph 253

The situation of families in Montserrat who have been displaced since the volcanic eruption in 1997 is of concern. Concern is also expressed about the relatively slow pace at which programmes and services, including access to adequate housing, education and health services, are being re-established in Montserrat for internally displaced families.

Paragraph 254

All appropriate measures should be taken to improve the situation of internally displaced families, including their access to adequate housing, education and health services.

- Tajikistan, CRC, CRC/C/100 (2000) 53 at paras. 287 and 288.

Paragraph 287

The prevailing disparities in the enjoyment of their rights by children in Tajikistan are of concern. In particular, concern is expressed about the situation of: children living in institutions; children in regions of the country, which are lagging behind in socio-economic development and experiencing civil unrest; internally displaced, refugee and asylum-seeking children; and children of rural families.

Paragraph 288

All necessary measures be taken to ensure that all children within the jurisdiction enjoy all the rights

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set out in the Convention without discrimination, in accordance with article 2. The State party should prioritize and target social services for children belonging to the most vulnerable groups.

- Colombia, CRC, CRC/C/100 (2000) 64 at paras. 354, 355, 359, 371, 374, 375, 382 and 383.

Paragraph 354

Concern is expressed at the existing patterns of economic and social disparity, and of gender and racial discrimination; at the marginalization of children belonging to the Afro-Colombian and indigenous populations; and at the precarious situation of children belonging to internally displaced populations, especially regarding their limited access to housing, education and health services.

Paragraph 355

In the light of article 2 and other related articles of the Convention, it is recommended that measures be increased to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets, children living in camps for internally displaced populations and children living in rural areas, and to guarantee their full enjoyment of all the rights recognized in the Convention.

Paragraph 359

In the light of article 7 of the Convention, the State party should continue its measures to ensure the immediate registration of the birth of all children. Special emphasis should be placed on the registration of children belonging to the most vulnerable groups, including children living in areas affected by the armed conflict and in camps for internally displaced groups.

Paragraph 371

The State party should continue to take effective measures to ensure access to basic health care and services for all children. More concerted efforts need to be made to guarantee equal access to health care and to combat malnutrition, with special emphasis on children belonging to indigenous groups and children living in rural and remote areas, as well as in camps for internally displaced populations.

Paragraph 374

The Government's achievements in the field of education are acknowledged. Concerns remain about the high drop-out and repetition rates in primary and secondary school, and at the disparities in access to education between rural and urban areas. Particular concern is expressed about the situation of children belonging to Afro-Colombian and indigenous groups, as well as those living in camps for the displaced regarding their access to education and the low relevance of the current bilingual educational programmes available for them.

Paragraph 375

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In the light of articles 28, 29 and other related articles of the Convention, efforts to strengthen its educational policies and system should be continued, in order to improve ongoing retention programmes and vocational training for drop-out students; to extend coverage and to improve the quality of education, respecting geographical and cultural diversity; and to improve the relevance of bilingual education programmes for children belonging to indigenous and Afro-Colombian groups.

Paragraph 382

It is of concern that the State party has one of the largest internally displaced populations in the world, forced to leave their home towns owing to the high level of violence in certain regions of the country. Concern is also expressed about the social deprivation faced by these populations, mainly composed of women and children, especially their limited access to housing, health services and education. Further concern is expressed about reports that many displaced persons have been the victims of grave human rights violations and about the thousands of displaced families who have fled to neighbouring countries, where refugee status has been denied them by the local authorities.

Paragraph 383

The highest priority should be given to the protection of the rights of children belonging to internally displaced groups. In this regard, the Committee endorses the recommendations made in the reports of the Special Representative of the Secretary-General on Internally Displaced Persons to the Commission on Human Rights on the situation in the State party (see E/CN.4/2000/83/Add.1 and Add. 2), and recommends that the State party, in cooperation with the international community, urgently follow up these recommendations, in particular that on the incorporation of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) in the State party's legislation and policies on internally displaced persons.

- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 149, 156-159, 186 and 187.

Paragraph 149

The State party is urged to continue to make every effort to achieve respect for children's rights to life, survival and development, including through improved economic development, strengthening of social infrastructure and efforts to alleviate poverty. Special attention should be given to children living in rural areas and to refugee and internally displaced children.

Paragraph 156

While recognizing the State party's ongoing poverty alleviation efforts, concern is expressed that many families are under pressure as a result of population displacement, armed conflict, drought, poverty and illness.

Paragraph 157

The State party should strengthen and fully implement its poverty alleviation programme and develop

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programmes to strengthen family unity, providing assistance to displaced populations and to very poor communities in particular.

Paragraph 158

In the context of population displacement caused by natural disasters or armed conflict, many children have been separated from their families, and this is of concern.

Paragraph 159

The State party should continue and strengthen its efforts to ensure family reunification. Assistance should be sought from UNICEF and the Office of the United Nations High Commissioner for Refugees in this regard.

Paragraph 186

Concern is expressed at the difficult situation faced by refugee and internally displaced children and their families in the State party, including in terms of their access to education and health services and in terms of family reunification.

Paragraph 187

The State party should continue and strengthen its efforts to provide assistance to refugee and internally displaced children and their families, including with regard to education and health services and family reunification and reinstallation.

- Turkey, CRC, CRC/C/108 (2001) 18 at paras. 109, 110, 139 and 140.

Paragraph 109

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

Paragraph 110

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

Paragraph 139

The large number of internally displaced children who were forced to leave their home towns in 1990 owing to the high level of violence in the south-east region is of concern. Concern is also expressed

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at their limited access to housing, health services and education.

Paragraph 140

In line with the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), the State party should ensure that internally displaced children and their families have access to appropriate health and education services and adequate housing. Further, data and statistics should be collected in order to know how many children are displaced and what their needs are, with a view to developing adequate policies and programmes.

- Democratic Republic of the Congo, CRC, CRC/C/108 (2001) 31 at paras. 211 and 212.

Paragraph 211

Deep concern is expressed over the grave violations of the rights of refugee children and their families and, in particular, at allegations of widespread massacres of tens of thousands of refugees and the State party's lack of cooperation with, and obstruction of, efforts by the United Nations investigative mission mandated to clarify such allegations. Also of concern is the fact that the situation of refugee children and their families is poor. In addition, the very high number of children and their families internally displaced within the State party as a result of the armed conflict is a matter of deep concern. Concern is also expressed at the separation of children from their families and the very limited access of displaced children to adequate food and to health and education services.

Paragraph 212

The State party should strengthen its efforts to provide adequate assistance to refugees and every effort should be made to prevent all forms of violence against refugee and internally displaced children and investigate and seek justice with regard to allegations of massacres of refugee children and their families. Urgent measures should be implemented to protect civilian populations from further internal displacement, to ensure that those children and their families who have already been displaced have access to food, education and health assistance, and to support the return home of internally displaced populations and their reintegration into their communities. Noting the ongoing efforts, the State party is further urged to continue to give particular attention to strengthening family reunification efforts. It is recommended that the State party work closely with UNHCR and UNICEF in this regard.

- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 253, 254, 275 and 276.

Paragraph 253

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

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Paragraph 254

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

Paragraph 275

It is noted with concern that a large number of children were internally displaced or forcibly disappeared during the armed conflict and that the State party did not investigate these disappearances effectively.

Paragraph 276

In light of article 39 of the Convention, the State party should consider complying with the recommendations of the Truth Commission regarding a national reparation programme that would also include children affected by the internal armed conflict, and it should effectively investigate all cases of children who were forcibly disappeared by allocating human and financial resources to and cooperating with the National Commission for Searching for Disappeared Children. Further, it is recommended efforts be strengthened to implement the Programme to Support Resettlement of Displaced Groups and to ensure adequate protection to internally displaced children, paying special attention to the problem of lack of identification papers. The State party is encouraged to continue its international cooperation programmes with, among others, UNDP, UNHCR and UNCHS (Habitat).