

CHILDREN'S RIGHTS - GENERAL

IV. CONCLUDING OBSERVATIONS, CONTINUED

CERD

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

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

- Spain, CERD, A/59/18 (2004) 32 at para. 173.

173. While the Committee warmly welcomes the 2003 Memorandum of Understanding between Spain and Morocco on assistance in the repatriation of unaccompanied foreign children, it expresses concern about the situation of these children, particularly in relation to the poor conditions in the reception centres for minors (especially in Ceuta and Melilla).

The Committee recommends that the State party take all necessary measures to improve the conditions in reception centres for minors and ensure respect for the existing laws so that regular procedures in the expulsion of unaccompanied foreign children are carried out...

- Slovakia, CERD, A/59/18 (2004) 70 at para. 387.

387. While the Committee notes the “comprehensive Roma settlements development programme”, as well as the “programme of support for the construction of communal rental housing of a different standard”, it expresses concern about the isolation of the Roma community in ghetto-like neighbourhoods and their critical situation in respect of housing conditions, especially in the eastern part of the country, where most of the Roma community is concentrated.

In light of its general recommendation XXVII, the Committee recommends that the State party effectively implement policies and projects aimed at avoiding segregation of Roma communities in housing and involve Roma communities and associations as partners in housing construction, rehabilitation and maintenance projects. Furthermore, the Committee encourages the State party to take all possible measures to further improve housing conditions for Roma, taking also into account that for families, and particularly children, living in a proper environment is an essential prerequisite for access to education and employment on an equal footing.

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- Australia, CERD, A/60/18 (2005) 13 at para. 45.

45. The Committee, while acknowledging the efforts undertaken by the State party to achieve reconciliation and having taken note of the 1999 Motion of Reconciliation, is concerned about reports that the State party has rejected most of the recommendations adopted by the Council for Aboriginal Reconciliation in 2000 (art. 6).

The Committee encourages the State party to increase its efforts with a view to ensuring that a meaningful reconciliation is achieved and accepted by the indigenous peoples and the population at large. It reiterates its recommendation that the State party consider the need to address appropriately the harm inflicted by the forced removal of indigenous children.

ICCPR

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

(30) The Committee is concerned that, while "seek[ing] to remove any avoidable discrimination against, or stigma attaching to, children born outside of marriage", the Family Law Reform Ordinance does not abolish the status of illegitimacy. The Committee also considers that the absence of any right of compensation, in the circumstances of article 14, paragraph 6, of the Covenant, violates that provision.

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

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

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

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

- El Salvador, ICCPR, A/58/40 vol. I (2003) 61 at para. 84(19).

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(19) The Committee is sorry that the delegation was unable to explain the Legislative Assembly's reasons for not approving the establishment of a national commission of inquiry to track down children who disappeared in the conflict (arts. 6, 7 and 24).

The State party is...invited to reconsider the establishment of a national commission on disappeared children and a compensation fund for young people who are found.

- Uganda, ICCPR, A/59/40 vol. I (2004) 47 at para. 70(15).

(15) The Committee is concerned about the magnitude of the problem of abduction of children, in particular in northern Uganda. While acknowledging the measures taken by the State party to mitigate it, the Committee is concerned that available data do not show a decrease in the number of abductions. It is also concerned about the fate of former child soldiers (arts. 6, 8 and 24).

The State party should take the necessary steps, as a matter of extreme urgency and in a comprehensive manner, to face the abduction of children, and to reintegrate former child soldiers into society.

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at para. 82(12).

(12) While welcoming the progress made by the State party in the fight against traditional "blood feuds" and situations where potential victims, including children, do not leave their homes, the Committee is concerned about these phenomena and the lack of detailed information provided about crimes related to customary law and traditional codes (arts. 6 and 7).

The State party should take firm measures to eradicate crimes committed under the guise of customary law and traditional codes. It should investigate such crimes and prosecute and punish all the perpetrators.

- Benin, ICCPR, A/60/40 vol. I (2004) 30 at para. 83(14).

(14) The Committee is concerned at the persistence of vigilante justice. It also notes with concern that infanticides motivated by traditional beliefs are being committed in the country (articles 6, 7 and 24 of the Covenant).

The State party should protect persons from acts committed by individuals that infringe their

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right to life and physical integrity, and should exercise due diligence with a view to preventing and punishing such acts, investigating them and providing reparations for the resulting harm. The State party should also step up its efforts to increase public awareness...

ICESCR

- Colombia, ICESCR, E/2002/22 (2001) 110 at paras. 769 and 790.

769. The Committee is deeply concerned about the high numbers of street children and children affected by armed conflict. The Committee is particularly concerned that children are being forced to participate in the armed conflict.

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790. The Committee calls upon the State party urgently to undertake measures to address the problem of street children and children affected by armed conflict and to prevent and discourage children from taking up arms.

- Jamaica, ICESCR, E/2002/22 (2001) 130 at para. 930.

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

- Benin, ICESCR, E/2003/22 (2002) 34 at paras. 174 and 193.

174. The Committee is concerned at the large number of street children.

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193. The Committee requests the State party to address the problem of street children and to seek to reintegrate street children into society and the school system.

- Poland, ICESCR, E/2003/22 (2002) 54 at para. 350.

350. The Committee welcomes the establishment in 2000 of the Ombudsman for Children responsible for monitoring children's rights in Poland.

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

419. The Committee is concerned about the high number of children living and/or working

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in the streets who are often victims of various forms of exploitation, including prostitution and pornography.

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

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 503 and 526.

503. The Committee is...concerned about the extent of the problem of street children in Estonia.

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526. The Committee...recommends that the State party address the situation of street children with a view to eliminating the underlying causes of the problem...

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

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

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

- Republic of Moldova, ICESCR, E/2004/22 (2003) 49 at paras. 312 and 334.

312. The Committee is concerned that an estimated 40 per cent of the population live in absolute poverty, and that extreme poverty is especially pronounced in rural areas and among children.

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334. The Committee calls upon the State party to strengthen its efforts to combat poverty under the National Poverty Alleviation Programme and to give special attention to the most vulnerable groups, including children and people living in rural areas. It urges the State party to develop a mechanism for measuring the poverty level and to monitor it closely...

- Guatemala, ICESCR, E/2004/22 (2003) 59 at para. 429.

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429. The Committee urges the State party to increase its efforts to reunite separated families, to continue seeking children who have disappeared and to safeguard the situation of war orphans while facilitating access to the judicial system for affected persons.

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

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

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

- Spain, ICESCR, E/2005/22 (2004) 34 at para. 252.

252. The Committee recommends that the State party continue strengthening programmes to reduce unemployment targeting the most affected regions and groups... The Committee encourages, in this regard, the State party to improve childcare facilities for children under the age of 3.

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 290, 292, 315 and 317.

290. The Committee is concerned about trafficking in minors, especially indigenous minors.

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292. The Committee is deeply concerned about the persistent and growing level of poverty in the State party, affecting primarily women, children, indigenous and Afro-Ecuadorian communities.

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315. The Committee urges the State party to take all the appropriate measures to combat the problem of trafficking in minors, including collecting relevant data and statistics and conducting a thorough study on this issue...

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317. The Committee encourages the State party to intensify its efforts and activities to combat poverty, including the setting up of an antipoverty strategy to improve the living conditions of the disadvantaged and marginalized groups... In this regard, the Committee refers the State party to its statement adopted on 4 May 2001 on poverty and the International Covenant on Economic, Social and Cultural Rights.

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

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

...

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

- Zambia, ICESCR, E/2006/22 (2005) 19 at paras. 92, 93, 95, 114, 115 and 117.

92. The Committee is concerned about the large number of widows and orphans, a situation further exacerbated by the HIV/AIDS pandemic. It is also concerned about the harsh living conditions of widows and girl orphans due to, *inter alia*, harmful traditional practices such as “widow-cleansing”, early marriages and denial of inheritance.

93. The Committee is concerned about the large number of street children, especially in the capital, Lusaka, who are particularly exposed to physical and sexual abuse, prostitution, and a high risk of HIV infection.

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95. The Committee is deeply concerned that the extent of extreme poverty in the State party has negatively affected the enjoyment of economic, social and cultural rights as enshrined in the Covenant, especially by the most disadvantaged and marginalized groups, including girl children and those afflicted by HIV/AIDS.

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114. The Committee recommends that the State party take adequate measures to address the difficulties faced by widows and orphans, and in particular to eliminate harmful traditional practices.

115. The Committee reiterates the recommendation made by the Committee on the Rights of the Child at its thirty-third session in 2003 (CRC/C/132, chap. II, para. 220) and, in particular, that street children be provided with preventive and rehabilitative services for physical and sexual abuse, as well as adequate food, clothing, housing, health care and educational opportunities...

...

117. The Committee recommends that the State party undertake all necessary measures to guarantee an adequate standard of living, including through the provision of social safety nets for the most disadvantaged and marginalized groups, in particular those women and children who have been the hardest hit by structural adjustment programmes, privatization and debt servicing... The Committee also refers the State party to its statement adopted on 4 May 2001 on poverty and the International Covenant on Economic, Social and Cultural

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Rights...

CEDAW

- Belgium, CEDAW, A/57/38 part II (2002) 95 at para. 138.

138. The Committee...commends the State party for the development by the Ethics Commission, pursuant to the law of March 1995, of a code of ethics for telecommunications information services in an effort to protect minors, in particular the girl child, by monitoring the presence of violence and sex in media programmes.

- Canada, CEDAW, A/58/38 part I (2003) 53 at paras. 379 and 380.

379. The Committee is concerned that, while the report cites laudable efforts at expanding and improving childcare under all governments, there is no information, except for Quebec, indicating whether the available childcare places meet the demand and are affordable.

380. The Committee recommends that the State party further expand affordable childcare facilities under all governments...

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

208. The Committee is concerned at the continuing existence of child marriage and polygamy and other practices, including the institution of dowry, *deuki* (dedicating girls to a god and goddess), *jhuma* (in some communities, second sisters remain unmarried and spend their life in monasteries), *kumari pratha* (having a girl child as living goddess) and *badi* (ethnic practice of prostitution among young girls), that are contrary to the Convention and constitute discrimination against women. The Committee is also concerned that the enactment of the draft bill on domestic violence has been delayed indefinitely.

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

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- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at para. 32.

32. The Committee welcomes the availability of such support services as nurseries, kindergartens, children's wards, kitchens in workplaces and breastfeeding breaks for working mothers, as well as the use of temporary special measures to increase the number of women in certain management positions.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 184, 209 and 210.

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

...

209. While welcoming the adoption of the Children's Act, which includes provisions against child marriage and child betrothal, the Committee expresses concern about the high incidence of early marriage in the country.

210. The Committee urges the State party to ensure the implementation of the Children's Act and to undertake awareness-raising measures throughout the country on the negative effects of early marriage on women's enjoyment of their human rights, especially the rights to health and education.

CAT

- Venezuela, CAT, A/58/44 (2002) 32 at para. 78.

78. The Committee takes note with satisfaction of the adoption of various legislative provisions and the establishment of units in various sectors of the State administration as an indication of the importance assigned to better protection and promotion of human rights. Important instances of such provisions are the basic laws on states of emergency, on refugees and asylum-seekers, on the Public Prosecutor's Office and on the protection of children and young people. Among the units established, mention should be made of the Human Rights Department of the Ministry of the Interior and Justice.

- Iceland, CAT, A/58/44 (2003) 43 at para. 104.

104. The Committee welcomes the following developments: (a) the new Act on Protection of Children, No. 80/2000, which offers greater protection to children;...

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- Greece, CAT, A/60/44 (2004) 20 at para. 46.

46. The Committee notes the following positive developments:

...

(b) The establishment of a Department for Children's Rights in the Office of the Ombudsman (Law 3094/2003) with a mandate to, *inter alia*, undertake investigations and research on specific issues considered particularly important;

...

CRC

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 36, 37, 40 and 41.

36. The Committee, while taking note that the adoption of some national codes is currently being considered, in particular a new criminal code and a code of criminal procedure for juveniles, remains nevertheless concerned that domestic and customary laws still do not fully comply with the provisions and principles of the Convention.

37. The Committee encourages the State party:

(a) To take all necessary measures to ensure that its domestic legislation, including customary laws, conforms fully to the principles and provisions of the Convention;

...

(c) To ratify the African Charter on the Rights and Welfare of the Child; and

(d) To seek technical assistance from, among others, UNICEF and OHCHR.

...

40. The Committee notes with concern that budgetary allocations for children are insufficient to respond to national and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between rural and urban areas with respect to services provided to children.

41. In light of article 4 of the Convention, the Committee recommends that the State party:

(a) Strengthen its efforts to reduce poverty and its impact on children;

(b) Identify clearly its priorities with respect to child rights issues in order to ensure that funds are allocated to the "maximum extent of available resources" for the implementation of the rights recognized in the Convention, including the economic, social and cultural rights of children, in particular at local level and for children belonging to the most vulnerable groups in society; and

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(c) Take the necessary measures to identify the amount and proportion of the budget spent on children at the national and local levels, including the resources from international aid programmes, in order to adequately evaluate its impact on children.

- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 91, 92, 97, 98, 105, 106, 108 and 109.

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

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

...

97. The Committee notes that the State party established a Standing Committee on Human Rights (SCHR) in 1996 to investigate alleged human rights violations, to advise the Government on all human rights matters and to increase public awareness about the issue. The Committee is concerned that insufficient resources (financial and human) have been allocated for the effective functioning of the SCHR. The Committee notes with concern that the SCHR has no specific responsibilities with regard to children and that the SCHR is not easily accessible to children.

98. The Committee encourages the State party to allocate adequate financial and human resources to the Standing Committee on Human Rights (SCHR) to ensure its effective functioning. The Committee further suggests that the State party should consider reviewing the status of the Committee and establishing an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134) which would

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be competent to monitor and evaluate progress in the implementation of the Convention at the national level and, if appropriate, at the local level and to receive and investigate complaints of violations of child rights in a child-friendly manner, and to address them effectively. Meanwhile, the State party should take effective measures to ensure that the SCHR is easily accessible and child-sensitive in dealing with complaints of violations of the rights of children and in providing remedies for such violations in all regions of the country. The Committee further suggests that the State party initiate an awareness raising campaign about the SCHR and to facilitate its effective use by children. The Committee encourages the establishment of a focal point on children within the SCHR to monitor child rights. Finally, the Committee suggests that the State party consult further with OHCHR and seek technical assistance from UNICEF, among others.

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

106. The Committee recommends that the State party take effective measures to implement laws, policies and programmes to guarantee the principle of non-discrimination and full compliance with article 2 of the Convention, particularly as it relates to vulnerable groups of children and traditional tribal customs, practices and rituals.

...

108. The Committee notes that the State party has established various programmes under the National Programme of Action for Children to ensure the survival and development of children. However, it is concerned that the Programme has not been sufficiently implemented and that the impact of HIV/AIDS, mounting economic challenges and other socio-economic difficulties continue to threaten the right to life, survival and development of children in the State party, especially those living in rural areas and increasingly those living in crowded urban centres.

109. The Committee encourages the State party to reinforce its efforts to provide greater protection and support to children whose right to life, survival and development is unduly threatened by the difficult socio-economic realities of the State party. In this connection, the Committee recommends that the State party take all effective measures to strengthen [its

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technical cooperation with, *inter alia*, UNICEF, UNAIDS, UNDP and WHO.]

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 158 and 159.

158. While noting various legislative measures already taken or proposed with respect to child rights (e.g. 1999 Civil Status Law, 1999 Criminal Procedure Law, draft Juveniles Law), the Committee is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

159. The Committee recommends that the State party:

(a) Undertake a comprehensive review of existing legislation from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention; and

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

- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 220-222, 228 and 229.

220. The Committee notes the State party's close cooperation with civil society with regard to children's rights.

221. The Committee encourages the State party:

(a) To continue and strengthen its positive cooperation with civil society, including NGOs, in the context of the implementation of the Convention;

(b) To encourage NGOs to adopt a rights-based approach to children.

222. The Committee welcomes the State party's holistic approach to implementation of the general principles with regard to children's rights.

...

228. The Committee joins the State party in expressing concern at the extremely high number of accidents, including road accidents, of which children are victims.

229. The Committee recommends that the State party, taking into account the conclusions of its Working Group for the Prevention of Accidents, promote initiatives with a view to diminishing the number and consequences of accidents involving children through, *inter alia*, legislation, standardization of toys and child care articles and the training of relevant professionals and of families with children in the prevention of accidents.

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- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 275, 276, 283, 284, 293 and 294.

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

276. The Committee recommends that the State party:

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

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

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

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283. The Committee notes information from the delegation concerning the establishment of a telephone "safety-line" for children.

284. The Committee encourages the State party to develop and strengthen this service for children at risk.

...

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

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

(a) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life;

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

(c) Take all appropriate measures, such as comprehensive public education campaigns, to

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prevent and combat negative societal attitudes in this regard, particularly within the family; and

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

See also:

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 172 and 173.
- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 334, 335, 377 and 378.

334. The Committee notes the process begun by the State party to harmonize existing legislation with the Convention, but it remains concerned that the domestic legislation, including customary law, is very fragmented and partly unsuitable, outdated and not in conformity with the Convention, and at the continued existence of customs and traditions which impede children fully enjoying their rights.

335. The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention on the Rights of the Child. In that respect, the Committee recommends that the State party:

(a) Take steps, using a rights-based approach, to harmonize existing legislation, including customary law, with the Convention;

(b) Consider the adoption of a comprehensive children's code, reflecting the general principles of the Convention on the Rights of the Child;

(c) Adopt a comprehensive family code.

...

377. The Committee notes the challenging socio-economic situation and the comprehensive debt reduction package recently agreed under the International Monetary Fund/World Bank enhanced heavily indebted poor countries initiative. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, children living in remote rural and other under-developed areas, and children belonging to marginalized groups of the population. In addition, while taking note of the State party's intention to improve the coverage of the social security system, it joins the State party in expressing concern at the limited access to such assistance, and the need to reform the social security system.

378. In accordance with article 27 of the Convention, the Committee recommends that the

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State party:

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Paper and in all programmes intended to improve the standard of living in the country;

(c) Cooperate and coordinate its efforts with civil society and local communities;

(d) Reform the social security system, with a view to broadening its coverage after completion of the studies undertaken by the State party to this end.

- Gambia, CRC, CRC/C/111 (2001) 89 at paras. 409, 410, 415, 416, 450, 451, 458 and 459.

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

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

...

415. While noting that the Department for Social Welfare is currently responsible for receiving and investigating individual complaints of violation of the rights of children, the Committee notes that the mandate of the Office of the Ombudsman does not adequately cover issues relevant to children's rights. The Committee is concerned that the State party has not established an independent monitoring mechanism to receive and investigate individual complaints of violation of the rights of children.

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416. The Committee encourages the State party to expand the mandate of the Office of the Ombudsman or establish a separate monitoring mechanism to deal with complaints of violations of the rights of children and to provide remedies for such violations. This monitoring mechanism should be set up, in accordance with the Paris Principles (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local level, should be accessible to children, and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively. The Committee further suggests that the State party introduce an awareness-raising campaign to facilitate the effective use by children of such a mechanism. The Committee recommends that the State party seek technical assistance from, among others, OHCHR and UNICEF.

...

450. The Committee is concerned about widespread poverty and the increasingly high numbers of children who do not enjoy the right to an adequate standard of living, including children belonging to poor families, street children, child beggars, refugee and asylum-seeking children, and children living in remote rural communities.

451. The Committee recommends that in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when introducing its Poverty Reduction Strategy and all other programmes intended to improve the standard of living in the country. In this regard, the Committee encourages the State party to coordinate its efforts with civil society and local communities.

...

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

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

See also:

- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 132 and 133.
- Niger, CRC, CRC/C/118 (2002) 37 at paras. 181 and 182.
- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 475 and 476.

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- Paraguay, CRC, CRC/C/111 (2001) 103 at paras. 484, 485, 490 and 491.

484. Although the 1992 Constitution foresees the creation of a *Defensor del Pueblo* (human rights ombudsman), the Committee notes with concern that no mechanism has been established yet to receive and address complaints, in particular in the field of children's rights.

485. The Committee encourages the State party to establish an independent and effective mechanism in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:

- (a) Monitors the implementation of the Convention;
- (b) Deals with complaints from children in a child-sensitive and expeditious manner; and
- (c) Provides remedies for violations of their rights under the Convention.

In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

...

490. The Committee, while noting examples of collaboration between governmental institutions and non-governmental organizations, e.g. in the preparation of the Children's Code and of the State party's second periodic report, nevertheless notes that cooperation with non-governmental organizations should be further promoted and reinforced.

491. The Committee reiterates its recommendation to the State party (CRC/C/15/Add.75, para. 31) to encourage the promotion of closer cooperation with non-governmental organizations, in particular in the area of implementation of the new Children's Code.

See also:

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 42 and 43.
 - Andorra, CRC, CRC/C/114 (2002) 134 at paras. 514 and 515.
 - Argentina, CRC, CRC/C/121 (2002) 8 at paras. 46 and 47.
-
- Uzbekistan, CRC, CRC/C/111 (2001) 117 at paras. 531, 532, 539, 540 547-550, 558 and 559.

531. While noting various legislative measures already taken or proposed with respect to child rights (for example, the 1998 Family Code, the 1996 Code of Administrative Liability, the 1996 Civil Code, the 1994 Criminal Code and the 1995 Labour Code), the Committee

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is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

532. The Committee recommends that the State party:

- (a) Consider children's rights, as granted by the Convention, as a priority;
- (b) Undertake a comprehensive review of existing legislation, from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention;
- (c) Consider adopting a comprehensive children's code incorporating the principles and provisions of the Convention.

...

539. The Committee notes the establishment of the Ombudsman by the 1997 Law on the Authorized Person of the Oliy Majlis for Human Rights. However, it is concerned that:

The mandate of the Authorized Person does not provide for regular monitoring and evaluation of progress in the implementation of the Convention;

The Law of 1997, which empowers the Authorized Person to receive and address complaints, does not provide for an effective mechanism to address complaints relating to violations of rights guaranteed under the Convention, particularly complaints from children.

540. The Committee recommends that the State party:

- (a) Ensure the independence of the institution of the Authorized Person is secured, as also recommended by the Human Rights Committee (see CCPR/CO/71/UZB);
- (b) Strengthen its support for the Authorized Person, including through the provision of adequate human and financial resources, so as to comply with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), and so as to include monitoring and evaluating progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively;
- (c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

...

547. The Committee notes the important role of the *Makhallas* at the local level in all matters of family law and protection of children, including juvenile justice. However, the

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Committee is concerned at the lack of information on their role in the implementation of the general principles of the Convention.

548. The Committee recommends that the State party:

(a) Educate *Makhalla* committees on the principles and provisions of the Convention, and ensure that those principles and provisions are reflected in the decision-making procedures of these committees...

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

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

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

550. The Committee recommends that the State party:

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

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

...

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

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

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- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 603, 604, 644 and 645.

603. Noting the recent efforts to amend the Minors Code and the Family Code, the Committee remains concerned that further strengthening of legislation is required. The Committee is also concerned that the Convention is not applied directly by the courts and administrative structures in the State party and that, given the incompatibility of some elements of domestic legislation, this may lead to practices that are not in accordance with the Convention.

604. The Committee recommends that the State party:

(a) Amend outdated legislation and adopt new legislation, including the new Penal Code, in accordance with the provisions of the Convention;

(b) Encourage domestic judicial and administrative mechanisms to apply the Convention directly in domestic proceedings.

...

644. The Committee is concerned that the rights of children with disabilities are not fully respected and that available specialized assistance, including economic assistance, is insufficient. The Committee is concerned, in addition, at the absence of public schools or trained teachers for children with disabilities in need of special facilities.

645. The Committee recommends that the State party:

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

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

(c) Ensure that, where necessary, specialized educational and health assistance are made available to children with disabilities in need of such assistance;

(d) Ensure the provision of specialized services for children with disabilities making a transition to the regular education system;

(e) Provide additional assistance to families caring for children with disabilities;

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

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right to equal treatment;

(g) Seek technical assistance from UNICEF and WHO.

- Lebanon, CRC, CRC/C/114 (2002) 11 at paras. 44 and 45.

44. The Committee regrets that its previous recommendation to the State party to develop a permanent and multidisciplinary mechanism for monitoring the implementation of the Convention has not been followed up ([CRC/C/15/Add.54], para. 24). The Committee notes the information that the Higher Council for Childhood is dealing with complaints about the violations of the rights of children in an informal way, but is concerned that the combination of a coordinating and a monitoring role would hamper effective and independent monitoring of the implementation of the Convention.

45. The Committee encourages the State party:

(a) To reinitiate the process of establishing an independent national human rights institution, in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local level, including implementation by the private sector and NGOs as providers of services to children. This institution should be empowered to receive and investigate individual complaints of violations of child rights in a child-sensitive manner and address them effectively; and

(b) To seek technical assistance from, among others, OHCHR and UNICEF.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 109, 110, 117, 118, 164 and 165.

109. In light of the establishment of the National Observatory on the Rights of Children, and given the existence of the Ombudsman's Office and the National Human Rights Committee, the Committee is concerned that there is no clear division of labour between these bodies, which may have a negative impact on effective monitoring of the Convention's implementation.

110. The Committee recommends that the State party:

(a) Clearly define the role of each of the above bodies in accordance with the Paris Principles, and ensure that they are easily accessible for children and can deal with individual complaints in a child sensitive manner;

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(b) Proceed with its efforts to develop the work of the National Observatory on the Rights of Children, including through the timely implementation of the law on the Observatory.

...

117. While noting the involvement of some NGOs in the preparation of the State party's initial report, the Committee remains concerned that other relevant NGOs working on human rights, including children's rights, and including NGOs from distinct ethnic, religious, linguistic and cultural groups were not involved in the process and that communication with part of the NGOs community has been insufficient.

118. The Committee recommends that the State party make every effort to further improve cooperation and coordination on a regular basis with NGOs and involve them in the Convention's implementation, giving particular attention to NGOs working on behalf of the rights of children from distinct ethnic, religious, linguistic and cultural groups, such as the Roma.

...

164. The Committee is concerned:

(a) At the number of children working and/or living on the street, and the numbers of Roma children in particular;

(b) At the lack of access of these children to education and health services;

(c) That young children illegally in the State party are expelled from the country without a process to examine what action would be in their best interests.

165. Noting the State party's efforts in this regard, the Committee recommends that:

(a) Greater efforts be made to study the causes and scope of this concern;

(b) Additional efforts be made to provide a response through comprehensive social services to assist children living and/or working on the street, including innovative educational services adapted to the situation of these children and as an alternative to the formal education system, and in cooperation with NGOs;

(c) Efforts be strengthened to prevent children from falling into a situation of street life and to assist children in leaving street life, with a particular focus on Roma children.

- Gabon, CRC, CRC/C/114 (2002) 47 at paras. 223, 224, 227 and 228.

223. While noting the existence of the National Anti-AIDS Programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to secure

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access to low-priced AIDS drugs), the Committee remains extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.

224. The Committee recommends that the State party:

(a) Increase its efforts to prevent HIV/AIDS, taking into consideration the recommendations of the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);

(b) Urgently consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to family life, adoption, emotional care and education;

(c) Involve children in formulating and implementing preventive policies and programmes; and

(d) Seek further technical assistance from, among others, UNAIDS.

...

227. The Committee notes the challenging socio-economic situation and the sixth debt-rescheduling deal with the Paris Club (December 2000). However, it is concerned at the poor situation of sanitation and insufficient access to safe drinking water, especially in rural communities and suburban areas, and at the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, and children living in remote rural areas. In addition, the Committee is concerned at the deterioration of the social security system, which no longer ensures free access to health services for children.

228. In accordance with article 27 of the Convention, the Committee recommends that the State party:

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families, notably in suburban and rural areas, and to guarantee the right of children to an adequate standard of living;

(b) Cooperate and coordinate its efforts with civil society and local communities;

(c) Provide adequate financial resources to the social security system to restore free access to health services for children; and

(d) Provide information to families on their social rights.

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- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 260, 261, 264, 265, 303, 304, 307, 308, 317 and 318.

260. The Committee is concerned that there remain inconsistencies between domestic legislation and the Convention. The Committee is also concerned that, as indicated in the State party's report, in instances where it conflicts with international instruments domestic legislation prevails, and that inconsistencies between the two may lead to violations of the Convention.

261. Noting the State party's significant efforts to address inconsistencies between domestic legislation and the Convention, the Committee recommends that the State party:

- (a) Continue and strengthen its efforts to amend legislation so that it conforms fully with the Convention, or to adopt legislation that so conforms;
- (b) Take steps to ensure that no legislation is implemented in a manner that would infringe the State party's obligations under the Convention;
- (c) Pursue its efforts to resume the process of drafting and adopting a comprehensive children's code incorporating, *inter alia*, the principles of the Convention;
- (d) Seek assistance from UNICEF and OHCHR in this regard.

...

264. The Committee is concerned at the absence of an independent mechanism for monitoring the implementation of the Convention.

265. The Committee recommends that the State party:

- (a) Establish an independent body with responsibility for monitoring implementation of the Convention, in accordance with the Paris principles;
- (b) Ensure that any monitoring mechanism include child-sensitive procedures through which children can make complaints of abuses of their rights.

...

303. While noting the State party's poverty eradication strategy, the Committee remains concerned that:

- (a) Absolute poverty continues to affect a very high proportion (around two thirds) of the State party's population;
- (b) Only a very small proportion of the population has access to electricity, sanitation and

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clean running water in their homes;

(c) Many children have inadequate clothing;

(d) The current social security system covers only a very small number of children and their families in need of such protection.

304. The Committee recommends that the State party:

(a) Continue and strengthen its efforts to address poverty, including through international cooperation;

(b) Consider and implement measures through which a significantly larger number of children and their families may benefit from minimum of social security protection;

(c) Continue its efforts to improve housing conditions, including sanitary conditions, in both rural and urban areas, and continue to implement its national water policy;

(d) Make every effort to ensure that all children have adequate clothing;

(e) Seek assistance in the form of international cooperation in this regard.

...

307. The Committee is concerned that:

(a) Children living in urban centres have very few areas, such as parks, in which they can play safely;

(b) As noted in the State party report, "there is no mandatory allocation and conservation of recreational areas for children in urban development plans [and] the number of such places has declined or is virtually non-existent in large towns".

308. The Committee recommends that the State party:

(a) Provide areas, such as parks, urban centres, which can be used by children for leisure activities;

(b) Consider adopting legislation or administrative rules and making an appropriate budgetary allocation, in order to ensure that leisure areas for children remain a priority in urban planning decisions.

...

317. The Committee is concerned that:

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- (a) There are large numbers of children living on the street in urban areas;
- (b) Street children are vulnerable to, *inter alia*, sexual abuse, violence, including from the police, exploitation, lack of access to education, substance abuse, sexually transmitted diseases, HIV/AIDS and malnutrition;
- (c) The primary response to the situation of these children, as described by the State party in its report, is placing them in institutions.

318. The Committee recommends that the State party:

- (a) Strengthen its efforts to ascertain the number and location of street children;
- (b) Make additional efforts to provide protection to street children and to provide them with access to education and to health and other services;
- (c) Strengthen efforts to assist children to leave the street, with emphasis on alternatives to placing them in institutions and special attention to family reconciliations.

- Chile, CRC, CRC/C/114 (2002) 90 at paras. 336, 337, 367 and 368.

336. The Committee, while acknowledging that the Presidential Advisory Council *de facto* receives and handles individual complaints concerning violations of human rights, expresses its concern that an overall national mechanism with the mandate for continuing supervision and evaluation throughout the country of the implementation of the Convention, as previously recommended ([CRC/C/15/Add.22 of 25 April 1994]), was not set up.

337. The Committee encourages the State party to establish an independent and effective mechanism in accordance with the Paris Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134), provided with adequate human and financial resources and easily accessible to children, that:

- (a) Monitors the implementation of the Convention;
- (b) Deals with complaints from children in a child-sensitive and expeditious manner; and
- (c) Provides remedies for violations of their rights under the Convention. In this regard, the Committee further recommends that the State party consider seeking technical assistance from, among others, UNICEF and OHCHR.

...

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367. The Committee expresses its concern at the inefficiency of projects financed by the National Fund for Disability, owing to inadequate funds and modalities. The Committee is also concerned at the general lack of resources and specialized staff for these children, especially the ones with mental disabilities, in particular in rural areas and for indigenous children. Further, it expresses its concern at the low proportion of children with disabilities enrolled in regular schools.

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

- (a) Undertake studies to determine the causes of and ways to prevent disabilities in children;
- (b) Undertake measures to ensure that the situation of children with disabilities is monitored in order to assess their situation and needs effectively;
- (c) Conduct public awareness campaigns in all languages, in particular indigenous ones, to raise awareness of the situation and the rights of children with disabilities;
- (d) Allocate the necessary resources for programmes and facilities for all children with disabilities, especially the ones living in rural areas, and strengthen community-based programmes to enable them to stay at home with their families;
- (e) Support the parents of children with disabilities with counselling and, when necessary, financial support;
- (f) In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage their integration into the regular educational system and inclusion into society, including by providing special training to teachers and by making schools more accessible;
- (g) Seek technical assistance and international cooperation from, among others, UNESCO, UNICEF and WHO.

See also:

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 170 and 171.
- Malawi, CRC, CRC/C/114 (2002) 104 at paras. 391, 392, 428 and 429.

391. The Committee welcomes the existence of an ombudsman with a mandate to receive

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complaints from children. In addition, the Committee notes that the State party established a Human Rights Commission in 1998 and that a Child Rights Unit has been created in 1999 within this institution. The Committee is concerned, however, at the confusion relating to the role of this Unit... as it is responsible for both coordination and monitoring of children's rights and policies. The Committee is also concerned that insufficient resources have been allocated to allow the Child Rights Unit to function effectively.

392. The Committee suggests that the State party review the status, role and functions of the Human Rights Commission and its Child Rights Unit in order to establish an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134), which should be competent to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local levels and to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively. The Committee also recommends that the State party allocate adequate financial and human resources to the Human Rights Commission and its Child Rights Unit to ensure its effective functioning. The Committee further suggests that the State party conduct an awareness-raising campaign about the Human Rights Commission and its Child Rights Unit to facilitate its effective use by children. Finally, the Committee suggests that the State party seek technical assistance from OHCHR, and UNICEF, among others.

...

428. The Committee is concerned at the persistence of harmful traditional practices, including early and forced marriages.

429. The Committee recommends that the State party take legislative and awareness-raising measures to prohibit and eradicate traditional practices harmful to the health, survival and development of children, boys as well as girls. The Committee urges the State party to introduce sensitization programmes with the involvement of community leaders for practitioners and the general public to change traditional attitudes and discourage harmful practices, in particular in rural areas.

- Bahrain, CRC, CRC/C/114 (2002) 122 at paras. 455-457, 460, 461, 468 and 469.

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

456. The Committee is concerned that in the case of Muslims the Shariah Court system - which applies Shariah personal law (marriage, divorce, custody and guardianship, inheritance, maintenance) and criminal law - lacks many basic and minimum international

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safeguards and procedures, including those contained in the Convention, without which the right to a fair trial or adequate access to the courts can be guaranteed in practice. In particular, the Committee is concerned that:

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

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

457. The Committee recommends that the State party:

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

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

...

460. The Committee notes the establishment of the Consultative Council's Human Rights Committee. It also notes the information that the Human Rights Committee continues to receive individual complaints regarding the implementation of children's rights. The Committee is nevertheless concerned that the Human Rights Committee:

(a) Does not fully reflect the Paris Principles; and

(b) Does not have a child rights-sensitive procedure for dealing with complaints under the Convention.

461. The Committee recommends that the State party:

(a) Ensure that the Human Rights Committee fully complies with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134);

(b) Strengthen its support of the Human Rights Committee through the provision of adequate human and financial resources, and explicitly include in its mandate the monitoring and evaluation of the implementation of the Convention. The Human Rights Committee should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and to address them effectively. In this regard, the State party could consider the establishment of a focal point for children within the Human Rights Committee; and

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(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

...

468. The Committee is concerned that the Convention has not been published in its entirety, in particular, that articles 11, 21, 22, 38 and 41-54 have been deleted in the published text. The Committee acknowledges information with respect to efforts, including in the media, to raise awareness of the Convention, but it is concerned that the State party is not undertaking adequate awareness-raising and training activities in a systematic and targeted manner.

469. The Committee recommends that the State party:

(a) Ensure that the Convention is published in its entirety, and that it is disseminated as such;

(b) Undertake an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(c) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children (e.g. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel); and

(d) Seek assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

- Andorra, CRC, CRC/C/114 (2002) 134 at paras. 521, 533 and 534.

521. The Committee recommends that the State party:

(a) Renew its efforts to disseminate the Convention, both to children and to the broader public, including through appropriate material specifically for children translated in the various languages spoken in the Principality of Andorra, including the languages spoken by migrant children;

(b) Encourage the study on the evaluation of dissemination activities;

(c) Undertake systematic education and training programmes on the provisions of the

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Convention for all professional groups working for and with children, such as judges, lawyers, law enforcement officials, civil servants, teachers, health personnel, including psychologists, and social workers.

...

533. The Committee is concerned at the traditional approach, essentially based on welfare and protection, taken by the State party with regard to the implementation and monitoring of children's issues.

534. The Committee recommends that the State party strengthen its child rights-based approach on all issues relevant to children.

See also:

- Seychelles, CRC, CRC/C/121 (2002) 41 at para. 177.
- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 37, 38, 82 and 83.

37. The Committee is concerned to note that:

(a) There is "an absence of specific legislation on the implementation of the Convention", as indicated in paragraph 61 of the State party's report);

(b) The law on Children's and Women's Protection, which was approved by Parliament in 1997, has not been implemented and that the status of this law, according to the delegation, is unclear;

(c) The review of, *inter alia*, penal law and family and labour legislation has not produced concrete results so far;

(d) Customary law which does not fully comply with the Convention is applied much more often than national legislation, particularly on issues relevant to children, girls/women and the family.

38. Noting as a positive step the reactivation by the Parliament of the Ad Hoc Commission for the Child and Woman, the Committee urges the State party:

(a) To strengthen and speed-up the process of revision and harmonization of national laws in the light of and in accordance with the principles and provisions of the Convention;

(b) Take the necessary steps, including involving the community and traditional leaders, to

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bring customary law practices into compliance with the provisions and principles of the Convention;

(c) Seek technical assistance from the United Nations Children's Fund (UNICEF) and the Office of the High Commissioner for Human Rights (OHCHR).

...

82. The Committee is concerned at the number and situation of street children in urban regions of the country.

83. The Committee recommends that the State party make every effort to provide assistance to these children and to address the causes leading children to live on the streets.

- Belgium, CRC, CRC/C/118 (2002) 29 at paras. 101-104, 109, 110, 118 and 119.

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

102. The Committee recommends that the State party:

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

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

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

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

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103. The Committee notes the establishment, since the initial report was considered of the Children's Rights Commissioner for the Flemish Community. The Committee acknowledges the activities of the *Délégué Général aux Droits des Enfants* in the French Community and of the Centre for Equal Opportunities and Opposition to Racism. However, the Committee is concerned that there is no independent mechanism to monitor the implementation of the Convention and empowered to receive and address complaints of children in the German-speaking Community, nor at the federal level.

104. The Committee recommends that the State party:

(a) Establish independent human rights institutions in the German-speaking Community and at the federal level, in accordance with the Paris Principles (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention. They should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;

(b) Ensure that all the human rights institutions have formal advisory functions with the respective legislative bodies and that they establish formal links with each other.

...

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

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

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

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

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

(d) Review existing policies and practice in relation to children with disabilities, including draft legislation, with due regard to the Standard Rules on the Equalization of Opportunities

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for Persons with Disabilities (General Assembly resolution 48/96) and to the Committee's recommendations adopted at its day of general discussion on children with disabilities (See CRC/C/69).

...

118. The Committee welcomes the creation of a special bureau for unaccompanied minors in the Aliens Office for handling their requests to stay. It also notes a number of other activities, among others: concerning the establishment of special reception centres for unaccompanied minors; a draft law on the creation of a guardianship service, access to education and missing persons, which contains provisions on unaccompanied minors. But there are not yet, as the Government acknowledges, specific regulations for unaccompanied minors, whether seeking asylum or not.

119. In accordance with the principles and provisions of the Convention, especially articles 2, 3 and 22, and with respect to unaccompanied persons under 18 years of age, the Committee recommends that the State party:

- (a) Expedite efforts to establish special reception centres for unaccompanied minors, with special attention to those who are victims of trafficking and/or sexual exploitation;
- (b) Ensure that the stay in those centres is for the shortest time possible and that access to education and health is guaranteed during and after the stay in the reception centres;
- (c) Approve as soon as possible the draft law on the creation of a guardianship service, in order to ensure the appointment of a guardian for an unaccompanied minor from the beginning of the asylum process and thereafter as long as necessary, and make sure that this service is fully independent, allowing it to take any action it considers to be in the best interests of this minor;
- (d) Ensure unaccompanied minors are informed of their rights and have access to legal representation in the asylum process;
- (e) Improve cooperation and exchange of information among all the actors involved, including the Aliens Office and other relevant authorities, police services, tribunals, reception centres and NGOs;
- (f) Ensure that, if family reunification is carried out, it is done in the best interests of the child;
- (g) Expand and improve follow-up of returned unaccompanied minors.

- Niger, CRC, CRC/C/118 (2002) 37 at paras. 134 and 135.

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134. The Committee notes that new laws have been adopted by the State party to harmonize the existing legislation with the Convention. Nevertheless, the Committee remains concerned at the weak implementation of the Constitution as far as children's rights are concerned. Domestic legislation and customary law still do not fully reflect the principles and provisions of the Convention.

135. The Committee encourages the State party to continue and strengthen its reform activities in order to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention. In that respect, the Committee recommends that the State party:

- (a) Strengthen the implementation of the Constitution as far as children's rights are concerned;
- (b) Undertake all the necessary steps to harmonize existing legislation and customary law with the Convention;
- (c) Integrate the principles of the Convention from a rights-based approach in the National Programme of Action for the Survival, Protection and Development of Children;
- (d) Consider the adoption of a comprehensive children's code which will reflect the general principles of the Convention;
- (e) Consider the elaboration and adoption of a comprehensive family code.

See also:

- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 434 and 435.
- Belarus, CRC, CRC/C/118 (2002) 54 at para. 249.

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

- (a) Undertake studies to determine the causes of and ways to prevent disabilities in children;
- (b) Undertake measures to ensure that the situation of children with disabilities is monitored in order to assess their situation and address their needs effectively;
- (c) Conduct public awareness campaigns to raise awareness of the situation and the rights of children with disabilities;

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(d) Allocate the necessary resources for programmes and facilities for all children with disabilities, especially the ones living in rural areas, and strengthen community-based programmes to enable them to stay at home with their families;

(e) Support the parents of children with disabilities with counselling and, when necessary, financial support;

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

- Tunisia, CRC, CRC/C/118 (2002) 68 at paras. 262, 266, 267, 278 and 279.

262. In light of the previous recommendations ([CRC/C/15/Add.39], para. 10), the Committee notes with satisfaction the withdrawal, on 1 March 2002, of the reservation with regard to article 40, paragraph 2 (b)(v), and the declaration in which the State party declared that "its undertaking to implement the provisions of this Convention shall be limited by the means at its disposal."

...

266. While welcoming the State party's withdrawal of its reservation with regard to article 40, paragraph 2 (b)(v), and its declaration, as noted above, and noting the statement by the delegation that consideration will be given to withdrawing the remaining reservations, the Committee remains concerned about the extent of reservations and declarations made to the Convention by the State party. In particular, the Committee reiterates that the reservation relating to the application of article 2 appears to be incompatible with the object and purpose of the Convention.

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

...

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

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certain groups.

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

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

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

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

- Switzerland, CRC, CRC/C/118 (2002) 78 at paras. 318, 338 and 339.

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

...

338. While welcoming a parliamentary initiative to increase the number of childcare facilities, the Committee notes with concern that according to information provided by the State party (CRC/C/78/Add.3, para. 481), the existing offer of childcare services is far from meeting the needs.

339. In light of article 18, paragraph 3, of the Convention, the Committee recommends that the State party:

(a) Take measures to establish more childcare services to meet the needs of working parents; and

(b) Ensure that the childcare services provided promote early childhood development, in light of the principles and provisions of the Convention.

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- United Arab Emirates, CRC, CRC/C/118 (2002) 90 at paras. 370, 373, 374, 387 and 388.

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

...

373. The Committee welcomes information concerning draft laws (i.e. the Child Protection Act, the Disabled Persons' Act, and the Juvenile Delinquency Act). However, it is concerned that several rights contained in the Convention (such as non-discrimination) are not adequately reflected in domestic law. It is also concerned that with respect to the enjoyment of children's rights throughout the State party, the application of different laws governing different legal jurisdictions may lead to discrimination. In particular, the Committee is concerned that:

(a) Gaps in federal and local legislation may result in irregularities and disparities in the outcomes of the judicial process;

(b) Discrepancies may occur between Shariah judges' decisions, and between Shariah court decisions and decisions of other types of courts in the State party;

(c) Personal status law remains uncoded;

(d) Shariah courts are not regulated by uniform procedural rules, including in the area of criminal matters; and

(e) In Shariah courts federal and local laws are considered as secondary sources, and Shariah judges allegedly do not follow Supreme Court interpretation of United Arab Emirates law.

374. The Committee recommends that the State party:

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

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

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

...

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

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

(a) Take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on grounds of sex and birth in all fields of civil, economic, political, social and cultural life;

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

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

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

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

- The Netherlands (Antilles), CRC, CRC/C/118 (2002) 129 at paras. 553, 554, 577 and 578.

553. The Committee expresses its concern that one of the leading causes of death among older children is homicide.

554. The Committee recommends that the Netherlands Antilles study the problem of homicide amongst youth and take effective measures to address the root causes based on the results of the study.

...

577. The Committee welcomes efforts by the State party to increase after school care centres for children, and introduce after school programmes and facilities for youth. Yet, the Committee is concerned that there is a lack of affordable sports facilities and other recreational programmes, and not enough activities of a cultural nature.

578. The Committee recommends that the State party organize cultural after school activities such as drawing, plastic arts, dance and music, in participation with children, and

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make available free and accessible public sports facilities.

- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 40, 41, 44,45, 79 and 80.

40. The Committee is concerned that the current legislation on children, Law 10.903 (*Ley de Patronato*), dates back to 1919 and is based on the doctrine of “irregular situation” where children are an object of “judicial protection”. Although the Chamber of Deputies passed a draft law on the comprehensive protection of the rights of the child in November 2001, it has not yet been enacted (*media sanción*), so that there is no legislation in force at the federal level which considers the child as a subject of rights. Furthermore, the Committee also notes that provincial legislation often does not comply with the provisions and principles of the Convention.

41. The Committee recommends that the State party:

(a) Take all the necessary measures for the adoption by Parliament without delay of the draft law on the comprehensive protection of the rights of the child;

(b) Ensure the full implementation of the law on the comprehensive protection of the rights of the child, once enacted in compliance with the Convention, paying particular attention to the need to allocate the necessary human and financial resources in order to establish the adequate structures;

(c) Ensure that legislation at provincial level as a whole fully complies with the provisions and principles of the Convention;

(d) Seek technical assistance from, among others, the United Nations Children's Fund (UNICEF).

...

44. The Committee expresses its concern that budgetary allocations for children are still insufficient to respond to federal, provincial and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between rural and urban areas, as well as within urban areas, in particular Buenos Aires, with respect to public services provided to children. It notes with deep concern that, according to recent statistics mentioned by the State party in its reply to the list of issues, 69.2 per cent of children in Argentina live in poverty, of whom 35.4 per cent live in extreme poverty.

45. In light of article 4 of the Convention, the Committee encourages the State party:

(a) To review economic and social policies and the allocation of resources in the budget with a view to ensuring that the maximum amount of available resources is allocated to

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promoting and protecting the rights of the child at the federal, regional and local levels, especially in the fields of health, education, social welfare and security, as previously recommended ([CRC/C/15/Add.36], para. 16);

(b) To identify the amount and proportion of resources spent on children at the national and local levels in order to evaluate the impact of expenditures on children.

...

79. The Committee notes with concern that the recent economic, political and social crises have caused increased poverty, particularly among children and vulnerable groups.

80. The Committee recommends that the State party continue its efforts to prevent, including through a comprehensive poverty reduction strategy which incorporates human rights principles, a decline in living standards of families, in particular among vulnerable groups.

- United Kingdom of Great Britain and Northern Ireland, CRC, CRC/C/121 (2002) 23 at paras. 100, 101, 104-109, 114, 115, 119, 120, 137, 138, 143 and 144.

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

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

...

104. The Committee welcomes the establishment of the Children and Young People's Unit in 2001 in addition to other bodies created in the devolved administrations, but remains concerned that the absence of a central mechanism to coordinate the implementation of the Convention throughout the State party makes it difficult to achieve a comprehensive and

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coherent child rights policy. The process of devolution of powers to the respective administrations makes more compelling the need for effective coordination of the implementation of the Convention throughout the State party between the various levels of government in Northern Ireland, Scotland, England and Wales, as well as between governments and local authorities.

105. The Committee, in line with its previous recommendation ([CRC/C/15/Add.34], para. 23), recommends that the State party assign coordination of the implementation of the Convention throughout the State party, including to the devolved administrations, to a highly visible and easily identifiable permanent body with an adequate mandate and sufficient resources.

106. The Committee welcomes the fact that the Convention has been used as a framework in the Strategy for Children and Young People developed by the National Assembly for Wales, but remains concerned that this has not been the case throughout the State party. The Committee notes with satisfaction the statement of commitment made in the written replies and by the head of the State party's delegation to publish and implement an overarching strategy plan based on the Convention to be applied throughout the State party. However, the Committee remains concerned at the lack of a rights-based approach to policy development and at the fact that the Convention has not been recognized as the appropriate framework for the development of strategies at all levels of government throughout the State party. The Committee is also concerned that there is no national plan of action based on a global vision of children's rights.

107. The Committee encourages the State party to expedite the adoption and implementation of a comprehensive plan of action for the implementation of the Convention in all parts of the State party, taking into account the The Way Forward for Care and paying special attention to children belonging to the most vulnerable groups (e.g. children from poor households, children from minority groups, disabled children, homeless children, children in care, children between 16 and 18, Irish and Roma travellers' children and asylum-seekers) through an open, consultative and participatory process.

108. The Committee welcomes the establishment of an independent Children's Commissioner in Wales, but is concerned at the limited powers of the Commissioner, in particular in relation to non-devolved matters. The Committee welcomes the plans for the establishment of an independent human rights institution for children in Northern Ireland and in Scotland. The Committee is, however, deeply concerned that the State party has not yet established an independent human rights institution for children in England.

109. The Committee, in line with its previous recommendation [CRC/C/15/Add.34] recommends that the State party:

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(a) Establish independent human rights institutions with a broad mandate and appropriate powers and resources all across the State party and at the national level, in accordance with the Principles relating to national institutions for the promotion and protection of human rights (the Paris Principles) (General Assembly resolution 48/134, annex), to monitor, protect and promote all the rights of the Convention for all children. They should be easily accessible to children, able to determine their own agenda, empowered to investigate violations of children's rights in a child-sensitive manner and ensure that children have an effective remedy for violations of their rights;

(b) Ensure that all the human rights institutions have formal advisory functions with the respective legislative bodies and that they establish formal links, including of cooperation, with each other;

(c) Provide national human rights institutions with adequate resources and appropriate staff;

(d) Ensure that children and children's organizations are effectively involved in their establishment and activities.

...

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

115. The Committee recommends that the State party:

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

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

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

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

...

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119. The Committee is concerned at the continued use of plastic baton rounds as a means of riot control in Northern Ireland as it causes injuries to children and may jeopardize their lives.

120. Following the recommendations of the Committee against Torture (A/54/44, para. 77 (d)), the Committee urges the State party to abolish the use of plastic baton rounds as a means of riot control.

...

137. The Committee is extremely concerned at the high proportion of children living in poverty in the State party, which limits their enjoyment of many rights under the Convention and leads to a higher incidence among those children of death, accidents, pregnancy, poor housing and homelessness, malnutrition, educational failure and suicide. The Committee welcomes the State party's commitment to eliminate child poverty and the initiatives taken in this regard, but notes the lack of an effective and coordinated poverty eradication strategy across the State party.

138. The Committee urges the State party:

(a) To take all necessary measures to the "maximum extent of ... available resources" to accelerate the elimination of child poverty;

(b) To better coordinate and reinforce its efforts to address the causes of youth homelessness and its consequences;

(c) To review its legislation and policies concerning benefits and social security allowances for 16- to 18-year-olds.

...

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

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

- Sudan, CRC, CRC/C/121 (2002) 53 at paras. 225, 229-232, 239, 240, 286 and 287.

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225. The Committee notes the extremely negative impact of the armed conflict on children and that it has created conditions in which even a minimal implementation of the Convention is difficult. While noting the *de facto* control by non-State actors of areas of the State party's territory, notably in southern Sudan, the Committee emphasizes the full responsibility of the State party; it invites all other parties to respect child rights within the area under their control.

...

229. While noting that consideration of a draft children's code is continuing, the Committee, in light of Commission on Human Rights resolution 2001/18, expresses its concern that:

(a) Domestic legislation across the whole of the country, including in southern Sudan, is not in full conformity with the Convention;

(b) The State party has yet to ratify a number of core international human rights treaties.

230. The Committee recommends that the Sudanese authorities:

(a) Make every effort to bring all domestic legislation, including with regard to southern Sudan, into line with the Convention through, among other things, advocacy targeting the various bodies within the country responsible for adopting legislation;

(b) Implement fully existing legislation that safeguards children's rights;

(c) Sign and ratify the African Charter on the Rights and Welfare of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of All Forms of Discrimination against Women and proceed with ratification of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict, and on the sale of children, child prostitution and child pornography, and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction.

231. The Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children. Moreover, while appreciating that decentralization of services, particularly in the areas of health and education, allows authorities to respond better to local needs, the Committee is concerned that this delegation of responsibility without adequate resource allocation would result in serious deficiencies in the provision of these services for children, especially in the poorer areas. It emphasizes that the State party is responsible for ensuring that resources reach the most vulnerable groups during the period of economic reform and structural adjustment.

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232. The Committee recommends that the State party:

(a) Prioritize allocation of resources to the maximum extent for the economic, social and cultural rights of children at the national and local levels for the implementation of the Convention;

(b) Identify the amount and proportion of the national and local budgets spent on children through public and private services, non-governmental organizations and international development aid, and evaluate the impact and effects of the expenditures and of privatization;

(c) Study the impact of structural adjustment on the cost, quality, accessibility and effectiveness of services for children in order to prevent a decline in services.

...

239. The Committee recognizes the important role of civil society, as well as of international organizations, under the prevailing conditions, in the implementation of the provisions of the Convention, and is concerned at the insufficient efforts by the State party to fully cooperate with and facilitate their efforts.

240. The Committee recommends that the State party strengthen its cooperation with NGOs and international organizations and continue to ensure the safety of all NGO and intergovernmental personnel in the course of their work on behalf of children.

...

286. While taking note of the adoption by the President of a decision on 19 June 1999 “to deal with the problem of street children”, the Committee remains concerned that:

(a) There are large numbers of children living on the street in urban areas and that these children are vulnerable to, among other things, sexual abuse, violence, exploitation and the abuse of various substances and that they lack access to education and adequate health services;

(b) Street children are classified as “vagrants” in the context of government practices.

287. The Committee recommends that the State party:

(a) Amend its definition and policies with regard to street children, ensuring that these children are seen as victims of their circumstances and are not criminalized;

(b) Make additional efforts to provide protection to children living on the street and to ensure their access to education and health services, including substance abuse counselling;

(c) Proceed with the implementation of the “national project to combat the problem of street

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children”, ensuring that this project is in full conformity with the Convention and addresses the concerns raised in the present concluding observations;

(d) Seek international cooperation from, among others, UNICEF.

- Ukraine, CRC, CRC/C/121 (2002) 70 at paras. 302, 303, 307-309, 316 and 317.

302. The Committee is concerned that the legislation on the Convention has been considered to be of a declaratory nature and thus has not been fully implemented. The Committee is also concerned that very little information was received on the legislation enacted after the reporting period, making it difficult for the Committee to assess whether it has a rights-based approach and complies with the Convention.

303. The Committee recommends that the State party review, amend and renew, where necessary, the legislation in order to ensure full compliance with the rights contained in the Convention and strengthen the mechanisms for the implementation of all legislation relevant to the Convention.

...

307. The Committee recommends that the State party establish or appoint a single permanent body to coordinate the implementation of the Convention at the national and local levels, including by effectively coordinating activities between central and local authorities and cooperating with non-governmental organizations (NGOs) and other sectors of civil society.

308. While noting the appointment of the Commissioner for Human Rights of the Supreme Council of Ukraine, the Committee remains concerned that the mandate of the Commissioner does not provide for the regular monitoring and evaluation of progress in the implementation of the Convention. The Committee is further concerned that the office of the Commissioner does not include a mechanism to address individual complaints relating especially to violations of the rights guaranteed under the Convention.

309. The Committee encourages the State party to appoint, within its structure, either a commissioner specifically responsible for children's rights, or establish a specific section or division responsible for children's rights, that would be specifically responsible for addressing complaints made by children in a child-sensitive manner. In this respect, the Committee refers to its General Comment No. 2 on the role of national human rights institutions.

...

316. The Committee welcomes the improvement in relation between the Government and civil society with increased cooperation between the Government and NGOs. However, the Committee remains concerned that insufficient efforts have been made to involve civil

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society in the implementation of the Convention following a rights-based approach.

317. The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, and reiterates its recommendations ([CRC/C/15/Add. 42], para. 18) that the State party promote closer cooperation with NGOs and, in particular, to consider involving NGOs, especially rights-based ones, and other sectors of civil society working with and for children more systematically throughout all stages of the implementation of the Convention.

See also:

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 178 and 179.
- Poland, CRC, CRC/C/121 (2002) 120 at paras. 514 and 515.
- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 379, 380, 383, 384, 410 and 411.

379. The Committee recognizes the efforts made by the State party to ensure that its national legislation complies with the Convention, but remains concerned at the absence of strategies and resources to enforce these laws effectively.

380. The Committee recommends that the State party:

- (a) Develop a comprehensive approach to children's issues and formulate an integrated long-term strategy;
- (b) Enforce effectively the National Conception on the Protection of the Child and the Family, and implement the Law on Child Rights (1994) and the Law on Youth (1999), including by allocating the necessary human and financial resources;
- (c) Establish a mechanism for the implementation of the National Plan of Action;
- (d) Continue to address the compatibility of national legislation on children with the principles and provisions of the Convention;
- (e) Continue seeking assistance from the United Nations Children's Fund (UNICEF) in this regard.

...

383. The Committee notes the existence of a National Human Rights Centre and the information that an ombudsperson for children is part of the National Council for Child Rights Protection, but it is concerned at the effectiveness of these monitoring bodies given the lack of a clear statutory mandate to deal with complaints of violations of children's rights

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and the lack of transparent and child-sensitive procedures for addressing such complaints.

384. The Committee recommends that the State party appoint, within the National Human Rights Centre or independently, an ombudsperson or commissioner to monitor the implementation of the Convention at the national and local levels, in compliance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (General Assembly resolution 48/134, annex) and taking into full account the Committee's General Comment No. 2 on the role of independent national human rights institutions in the promotion and protection of the rights of the child

...

410. The Committee welcomes the adoption of the Preliminary Poverty Reduction Strategy in April 2002 and other efforts to support families, but remains concerned at the deteriorating living standards affecting in particular families with children, the inadequate social security system and the large number of parents migrating abroad to find work.

411. The Committee recommends that the State party:

(a) Undertake all necessary measures to support parents and families, including single-parent families, in their child-rearing responsibilities as part of its full implementation of the National Strategy for Children and Families;

(b) Fully implement the Preliminary Poverty Reduction Strategy, *inter alia* with a view to providing an adequate level of food security and social protection for children at risk and to improving and making transparent the payments of allowances to families with children.

- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 440-443.

440. The Committee welcomes the establishment, in 2001, of the National Commission on Human Rights. Nevertheless, the Committee is concerned that the Commission is not yet fully operational and that its mandate does not include the power to receive and address individual complaints of violations of the rights of the child.

441. The Committee encourages the State party to consider the structure and functions of the National Commission on Human Rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (The Paris Principles) (General Assembly resolution 48/134, annex) and in light of the Committee's General Comment No. 2 on national human rights institutions, to enable it to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local level. In addition, the institution should be empowered to receive and investigate complaints about violations of child rights in a child-sensitive manner and address them effectively. To this end, the Committee recommends that the State party allocate sufficient

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financial and human resources to the National Commission on Human Rights and encourages the State party to seek technical assistance from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF.

442. The Committee welcomes the priority given to the allocation of resources to health and education, especially in the State budget for 2002, and notes with concern the chronic budget deficits in spite of aid plans established through international cooperation, the World Bank, United Nations agencies and bilateral donors.

443. While recognizing the difficult economic conditions, the Committee recommends that the State party:

(a) Make every effort to increase the proportion of the budget allocated to the realization of children's rights to the "maximum extent...of available resources" and, in this context, to ensure the provision, including through international cooperation, of appropriate human resources and to guarantee that the implementation of policies relating to social services provided to children remain a priority;

(b) Develop ways to assess the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard;

(c) Undertake a study on the impact of structural adjustment programmes on the right of children to social services.

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 496, 497 and 508-511.

496. The Committee welcomes the State party's adoption of a new Constitution in 1997, which embodies many of the principles of the Convention on the Rights of the Child.

497. The Committee welcomes the State party's establishment in 2000 of the Office of the Ombudsman for Children responsible for monitoring children's rights throughout Poland, and the role of the Supreme Chamber of Control in assessing and evaluating the Government's policy with regard to children's rights and the implementation of the Convention.

...

508. The Committee welcomes, as noted above, the establishment of the Office of the Ombudsman for Children and the role of the Supreme Chamber of Control. Nevertheless, it is concerned at the lack of sufficient resources for the Office of the Ombudsman for Children.

509. The Committee recommends that the State party:

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(a) Strengthen the role of the Supreme Chamber of Control as an internal monitoring body for the evaluation of children's issues and establish a comprehensive system for monitoring and self-evaluation of the implementation of the Convention both at the national and local level;

(b) Provide the Ombudsman for Children with sufficient resources to enable him to fulfil his responsibilities;

(c) Collaborate with non-governmental and civil society organizations in monitoring children's rights and policies both at the national and local level.

510. The Committee notes with concern that allocations for children from the central budget declined from 2000 to 2001 and are insufficient to respond to national and local priorities for the protection and promotion of children's rights and to overcome and remedy existing disparities between rural and urban areas with respect to services provided to children.

511. While recognizing the difficult economic conditions, the Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children "to the maximum extent of ... available resources". Noting the State party's efforts at administrative reform and the decentralization of service provision, the Committee recommends that the State party strengthen, to the maximum extent of available resources, the capacity of local governments in rural and urban areas equally to implement the economic, social and cultural rights of children.

See also:

- Seychelles, CRC, CRC/C/121 (2002) 41 at paras. 172 and 173.
- Israel, CRC, CRC/C/121 (2002) 131 at paras. 553, 558-563, 566-571, 600 and 601.

553. The Committee welcomes:

(a) The establishment and work of the Rotlevy Committee on Children and the Law and the various parliamentary committees dedicated to advancing the rights of children, including the Committee on Legislation for Children and the Committee for the Advancement of the Status of the Child, as well as the establishment of local status of children committees at the municipal level;

(b) The enactment of progressive legislation, including the 2002 law on information regarding the influence of legislation on children's rights, and laws on minor victims' rights and legal assistance for children;

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- (c) The prohibition of corporal punishment in homes, schools and other institutions;
- (d) The active involvement of civil society in the promotion and protection of human rights in the State party, including through public-interest litigation, and the many court rulings based upon the articles of the Convention;
- (e) Affirmative-action programmes for education of Israeli Arabs;
- (f) The various measures taken to support families in need (e.g. single-parent families).

...

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

559. The Committee encourages the State party:

- (a) To ensure the speedy promulgation of legislation relating to child rights and its effective implementation;
- (b) To consider the adoption of a comprehensive children's code, which would incorporate the principles and provisions of the Convention;
- (c) To continue to support the work of these committees through the allocation of adequate resources.

560. The Committee is concerned that religious laws, particularly in the area of personal status, may not be in compliance with the principles and provisions of the Convention.

561. The Committee encourages the State party to take all possible measures to reconcile the interpretation of religious laws with fundamental human rights.

562. The Committee is concerned that the absence of a central mechanism to coordinate the implementation of the Convention makes it difficult to achieve a comprehensive and coherent child rights policy.

563. The Committee recommends that the State party:

- (a) Establish a central mechanism for intersectoral coordination and cooperation at and between the national and local levels of government;
- (b) Ensure the preparation and implementation of a national plan of action for children,

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including the implementation of the Convention, that is comprehensive, human rights based and undertaken through an open, consultative and participatory process.

...

566. While noting the different channels open to children for making complaints (i.e. the Open Line, the Ombudsman of the Ministry of Health, etc.), the Committee is concerned that the responses of these mechanisms are not sufficiently coordinated to ensure the effective implementation of the Convention. Moreover, the Committee is concerned at the absence of an independent mechanism with the mandate to regularly monitor and evaluate progress in the implementation of the Convention.

567. The Committee recommends that the State party:

(a) Improve coordination between the various existing complaints mechanisms to ensure that they effectively contribute to the implementation of the Convention;

(b) Consider the establishment of an independent national human rights institution, in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (The Paris Principles) (General Assembly resolution 48/134, annex) and the Committee's General Comment No. 2, to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be adequately resourced, accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively.

568. Against the backdrop of a declining economy, the Committee is concerned that the proposed budget cuts in social spending will negatively affect the economic, social and cultural rights of children belonging to the most vulnerable groups.

(a) Ensure the economic, social and cultural rights of all children, to the maximum extent of available resources;

(b) Continue to prioritize and target budgetary allocation for children belonging to the most vulnerable groups (e.g. Israeli Arab children, Bedouins, children of foreign workers);

(c) Systematically assess the impact of budgetary allocations on the implementation of child rights.

569. The Committee recommends that the State party:

(a) Ensure the economic, social and cultural rights of all children, to the maximum extent of available resources;

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(b) Continue to prioritize and target budgetary allocation for children belonging to the most vulnerable groups (e.g. Israeli Arab children, Bedouins, children of foreign workers);

(c) Systematically assess the impact of budgetary allocations on the implementation of child rights.

570. Recognizing under the prevailing conditions the important role of civil society, as well as international humanitarian organizations, in the implementation of the provisions of the Convention, particularly in the occupied Palestinian territories, the Committee is concerned at the inadequate efforts by the State party to fully cooperate with and facilitate their efforts.

571. The Committee recommends that the State party strengthen its cooperation with non-governmental and international organizations, including United Nations agencies, and guarantee the safety of their personnel in the course of their work on behalf of children and their access to the children concerned.

...

600. The Committee is deeply concerned at the large-scale demolition of houses and infrastructure in the occupied Palestinian territories, which constitutes a serious violation of the right to an adequate standard of living for children in those territories.

601. The Committee recommends, with reference to international humanitarian law, notably the Geneva Convention relative to the Protection of Civilian Persons in Time of War, that the State party fully comply with the rules of distinction (between civilians and combatants) and proportionality (of attacks that cause excessive harm to civilians) and thus refrain from the demolition of civilian infrastructure, including homes, water supplies and other utilities. It further recommends that the State party provide the victims of such demolitions with support for the rebuilding of their houses and with adequate compensation.

- Republic of Korea, CRC, CRC/124 (2003) 24 at paras. 95, 96, 101, 102, 109, 110, 128 and 129.

95. The Committee welcomes, as noted in paragraph 82 above, the establishment of the National Commission on Human Rights. Nevertheless, it is concerned that the Commission has no specialization in children's rights.

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

(a) Ensure that there is at least one child rights expert amongst the commissioners, or

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alternatively, that the Commission establish a subcommittee on children's rights;

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

...

101. While noting the cooperation between the State party and civil society in delivering services to children, the Committee is concerned that there is a lack of necessary standard-setting, and that cooperation with civil society at the policy-making level or in the reporting process has been limited.

102. The Committee emphasizes the important role of civil society as a partner in implementing the provisions of the Convention, and recommends that the State party involve NGOs in a more systematic and coordinated manner in all stages of the implementation of the Convention, including policy formulation, at the national and local levels, and in the drafting of future periodic reports on the implementation of the Convention. It also recommends that the State party take into account the recommendations arising from the day of general discussion held in 2002 on the theme "The private sector as service providers and its role in implementing child rights" (CRC/C/121, para. 630) and improve its supervision of private organizations delivering services by, *inter alia*, improving the system of registration and authorization of service providers.

...

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

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

...

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

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attend school they are segregated from other students.

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

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

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

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

- Italy, CRC, CRC/124 (2003) 36 at paras. 161 and 162.

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

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

(a) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes, and implement the recommendations of the Committee on the Elimination of Racial Discrimination (A/56/18, paras. 298 and 320);

(b) Strengthen its efforts to incriminate and take appropriate penal sanctions against any act of racism, racial discrimination, xenophobia and related intolerance;

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- (c) Carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake, on the basis of this evaluation, the necessary steps to prevent and eliminate discrimination through proactive measures;
 - (d) Ensure that the devolution process will enhance the elimination of disparities between children based on the wealth of the region to which they belong;
 - (e) Continue to prioritize and target resources and social services to children belonging to the most vulnerable groups;
 - (f) Study promptly the situation of foreign children in detention, ensure their full rights without discrimination, especially to education, and ensure their right to integration into society.
- Romania, CRC, CRC/124 (2003) 49 at paras. 212, 223 and 224.
212. In the light of article 4 of the Convention, the Committee recommends that the State party:
- (a) Increase the budget for the implementation of children's rights, prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, in particular those from socially marginalized groups, to the maximum extent of its available resources;
 - (b) In view of the decentralization in the provision of social services and taking into account article 2 of the Convention, ensure sufficient resource allocation (human and financial) for the full implementation of the Convention throughout the State party, especially for disadvantaged counties and communities.
- ...
223. While welcoming the adoption of the new legislation (Law No. 48/2002) and other efforts to counter discrimination and address the concerns expressed by the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.85, paras. 9-16), the Committee is concerned that the principle of non-discrimination is not fully implemented for all children in all parts of the State party, and that unequal enjoyment of economic, social, cultural, civil and political rights persists (e.g. for children with disabilities, children living with HIV/AIDS, children in care institutions, children in detention, asylum-seeker and refugee children, foreign children, children between 16 and 18 years, children from poor households, and children belonging to Roma and other minority groups).
224. The Committee reiterates its previous recommendations (CRC/C/15/Add.16, paras. 10, 19 and 21) that measures be taken to address effectively discriminatory attitudes or

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prejudices, in particular towards children belonging to the above-mentioned vulnerable groups. It also recommends that the State party implement fully and effectively already adopted legal measures to prevent discrimination and to ensure that the Constitution is in full conformity with article 2 of the Convention.

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

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

288. The Committee recommends that the State party:

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

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

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

...

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

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

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

(b) Take all effective measures to avoid institutionalization of children infected and affected by HIV/AIDS;

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

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 337, 338, 349, 350, 373, 374, 384 and 385.

337. The Committee welcomes the nomination of the Public Defender in 2000 and his report to the Committee. Furthermore, the Committee notes that the mandate of the Public Defender is limited to action or inaction on the part of the public sector and thus does not fully cover all implementation aspects of the Convention.

338. The Committee recommends that the State party take full account of the Committee's general comment No. 2 on the role of national human rights institutions and establish an independent body to monitor the implementation of the Convention, including the investigation of individual complaints by children in a child-sensitive manner. This may be done by broadening the mandate of the Public Defender and providing him with the necessary human and other resources, or by establishing a separate independent children's commissioner or ombudsperson.

...

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

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

...

373. The Committee notes that new financial benefits were introduced in 1995 under Act

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

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

...

384. The Committee is concerned that there is a growing number of children living on the street in urban areas vulnerable to, *inter alia*, sexual abuse, violence, including from the police, exploitation, lack of access to education, substance abuse, sexually transmitted diseases, HIV/AIDS and malnutrition. Furthermore, the Committee notes that the primary response to the situation of these children, as described by the State party in its report, is institutionalization.

385. The Committee recommends that the State party:

- (a) Strengthen its efforts to identify the numbers of street children with the aim of preventing and reducing this phenomenon in the best interest of these children and with their participation;
- (b) Make additional efforts to provide protection to children living on the street and to ensure their access to education and health services;
- (c) Strengthen efforts to assist children in leaving the street, placing greater emphasis on alternatives to institutionalization;
- (d) Continue to support NGOs to assist these children;
- (e) Strengthen the support and assistance to families in this respect.

- Haiti, CRC, CRC/124 (2003) 95 at paras. 397, 398, 405, 406, 417, 418, 450 and 451.

397. The Committee notes that a draft code on children is being prepared to harmonize existing legislation with the Convention, but remains concerned, nonetheless, that domestic legislation still does not fully reflect the principles and provisions of the Convention.

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398. Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully with the principles and provisions of the Convention. In this respect, the Committee recommends that the State party:

- (a) Undertake all necessary steps to finalize the harmonization of existing legislation with the Convention;
- (b) Adopt, as a matter of urgency, a comprehensive code on children that will reflect the general principles and provisions of the Convention;
- (c) Ensure the implementation of its legislation.

...

405. The Committee notes the existence of the Economic and Social Programme 2001-2006, but expresses its concern at the limited budget allocations and resource mobilization for the social sector, in particular for those areas addressing the needs of the most vulnerable groups of children. In that regard, the Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation "to the maximum extent of ... available resources" of the economic, social and cultural rights of children.

406. The Committee, while recognizing the difficult economic conditions, nevertheless recommends that the State party make every effort to implement the Economic and Social Programme 2001-2006 and to increase the proportion of the budget allocated to the realization of children's rights, inter alia by taking the necessary steps for a resumption of international aid programmes. In this context, the State party should ensure the provision of appropriate human and financial resources to children, in particular to the most vulnerable among them, and guarantee that the implementation of policies relating to children is given priority.

...

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

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

- (a) Adopt, as a matter of priority, effective legal measures to stop discrimination against children born out of wedlock;

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(b) Ensure through legislation that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination and prioritize and direct social services to children belonging to the most vulnerable groups through proactive and comprehensive policy measures;

(c) Ensure effective law enforcement, and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

...

450. The Committee expresses its concern at the increasing number of street children and at the lack of a systematic and comprehensive strategy to address this situation and to provide these children with adequate protection and assistance. In addition, the Committee is concerned that these children are used for the perpetration of offences and that some of them have disappeared.

451. The Committee recommends that the State party:

(a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;

(b) Ensure that these children are provided with recovery and reintegration services for physical, sexual and substance abuse, and services for reconciliation with their families;

(c) Investigate the disappearances of street children;

(d) Develop a comprehensive strategy to address the increasingly large number of street children, with the aim of preventing and curbing this phenomenon.

- Iceland, CRC, CRC/124 (2003) 109 at paras. 466-469, 472, 473, 482 and 483.

466. The Committee notes the information provided by the State party on the draft Act in Respect of Children, which concerns, among other things, the custody of children.

467. The Committee recommends that the State party:

(a) Continue to ensure that this and other laws concerning children, as well as administrative regulations, are based on human rights and are in conformity with the Convention;

(b) Ensure that adequate provision, including budgetary allocation, is made for the effective implementation of those laws and regulations;

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(c) Consider the systematic use of child rights impact assessments in the formulation of laws, policies and budgets.

468. The Committee welcomes the State party's efforts to formulate a comprehensive, intersectoral national child rights policy. It further welcomes the requirements under the 2002 Child Protection Act for the submission of four-year action plans on child protection by the Ministry of Social Affairs, as well as by each municipal authority.

469. The Committee recommends that the State party:

(a) Consider giving the Committee established under the May 2001 parliamentary resolution a permanent mandate for intersectoral coordination in the implementation of the Convention, or establish another well-mandated and adequately resourced body for such a task;

(b) Continue to ensure that the preparation and implementation of the national plan on child rights, as well as those plans required under the 2002 Child Protection Act, are based on human rights and are undertaken through an open, consultative and participatory process;

(c) Continue to ensure that adequate resources to implement the plans are provided, especially at the municipal level (i.e. through the municipal equalization funds).

...

472. The Committee welcomes the excellent work being undertaken by the Ombudsman for Children. However, it is concerned that the provision of resources by the State party is not commensurate with the Ombudsman's activities, including the increasing caseload of inquiries.

473. The Committee recommends that the State party ensure that this institution has adequate human and financial resources to enable it to effectively carry out its mandate to monitor the implementation of the Convention.

...

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

483. The Committee recommends that the State party:

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

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

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

...

- Eritrea, CRC, CRC/C/132 (2003) 8 at paras. 30, 31, 36, 37, 44, 45, 73 and 74.

30. The Committee welcomes the creation of the Child Law Committee to examine the compatibility of domestic legislation with the Convention and also notes that the new Constitution generally conforms to the principles and provisions of the Convention. However, the Committee remains concerned that to a large extent customary laws and traditions, and in some cases newly enacted legislation and transitional codes still in force, do not fully reflect the principles and provisions of the Convention.

31. The Committee recommends that the State party review transitional legislation, customary and local laws and adopt all necessary measures to ensure their compatibility with the principles and provisions of the Convention. The Committee also recommends that the State party ensure that legislation is effectively implemented.

...

36. While noting the increased investment in social services infrastructure following the peace agreement, the Committee is concerned that budgetary allocations and international development assistance are insufficient to respond to national and local priorities for the promotion and protection of children's rights.

37. The Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to the implementation of the economic, social and cultural rights of children, in particular those belonging to economically disadvantaged groups, "to the maximum extent of...available resources and, where needed, within the framework of international cooperation". Furthermore, the Committee calls on both the State party and international donors to reopen their dialogue, in particular with regard to programmes for the implementation of children's rights.

...

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

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

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

...

73. The Committee is concerned at the inadequate standard of living which hampers the respect for and fulfilment of the rights of children and the ability of their families to provide them with adequate protection.

74. The Committee recommends that the State party formulate a national strategy to combat poverty, with due emphasis on monitoring the impact on the rights of children, and that it allocate sufficient human and financial resources, including through international assistance, to ensure the implementation of its strategy.

- Cyprus, CRC, CRC/C/132 (2003) 21 at paras. 113-116, 120, 121, 125 and 126.

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

114. The Committee recommends that the State party:

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

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

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

115. The Committee is encouraged by positive developments, as noted by the Committee on the Elimination of Racial Discrimination (CERD) in August 2001, with respect to legislative reform. However, the Committee reiterates the concern of CERD relating to the lack of legal provisions expressly outlawing racial discrimination by private persons in education and employment. Furthermore, the Committee is concerned that certain factors linked to discriminatory attitudes may persist, in particular those related to acquisition of nationality, children born out of wedlock and Cypriot children of Turkish origin. It further

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notes that certain pieces of legislation do not apply equally to girls and boys.

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

...

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

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

...

125. The Committee notes the establishment of the Centre for Family Guidance by the Department of Social Welfare in 1997. However, the Committee is concerned about the traditional and rather paternalistic view of the child held by parents, teachers, authorities and society at large.

126. The Committee urges the State party to further encourage families to provide appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention in a manner consistent with his/her evolving capacities. It further recommends encouraging the perception of the child as a holder of rights through measures at all levels and public campaigns to raise awareness of the Convention.

- Zambia, CRC, CRC/C/132 (2003) 32 at paras. 205, 206, 219 and 220.

205. The Committee is concerned about the widespread poverty, especially among female-headed households, in the State party and the increasingly high number of children who do not enjoy the right to an adequate standard of living, including access to clean drinking water, adequate housing and latrines.

206. The Committee takes note of the efforts undertaken by the State party and recommends that, in accordance with article 27 of the Convention, the State party strengthen its efforts to provide support and material assistance to economically disadvantaged families, notably female-headed households, and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular

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attention to the rights and needs of children when implementing its poverty reduction strategy and all other programmes intended to improve the standard of living in the country.

...

219. The Committee expresses grave concern at the high and increasing number of street children. In particular, the Committee notes their limited access to health, education and other basic social services as well as their vulnerability to police brutality, sexual abuse and exploitation.

220. The Committee recommends that the State party:

(a) Undertake a study to assess the scope and the causes of this phenomenon and consider establishing a comprehensive strategy to address the high and increasing number of street children, with the aim of preventing and reducing this phenomenon;

(b) Ensure that street children are provided with preventive and rehabilitative services for physical, sexual and substance abuse, protection from police brutality and services for reconciliation with their families, and that perpetrators of violence against street children are prosecuted and punished;

(c) Take all effective measures to ensure that street children are provided with adequate food, clothing, housing, health care and educational opportunities, including vocational and life-skills training, to support their full development.

- Sri Lanka, CRC, CRC/C/132 (2003) 48 at paras. 230, 242-245, 252 and 253.

230. The Committee is greatly encouraged by the ongoing peace process and the inclusion of human rights issues, including the human rights of children, in the peace talks.

...

242. The Committee welcomes the establishment of the National Human Rights Commission in 1997, which also accepts and investigates complaints regarding the violation of children's rights. However, the Committee is concerned that the Commission has insufficient human and material resources to deal effectively with its volume of work.

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

(a) Ensure that the National Human Rights Commission is provided with sufficient resources to carry out its responsibilities effectively;

(b) Consider establishing a bureau for children's rights within the Commission in order to centralize its work on children's rights;

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(c) Ensure its accessibility to children, in particular by raising awareness of its power to receive, investigate and address complaints by children, in particular those affected by conflict.

244. The Committee notes with great concern that the expenditure on education and health as a percentage of the country's GDP decreased between 1998 and 2001. The Committee is further concerned at the lack of disaggregated data on budgetary allocations for the implementation of children's rights at the national and district levels.

245. The Committee recommends that the State party:

(a) Pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, in particular those in conflict-affected areas, "to the maximum extent of ... available resources and, where needed, within the framework of international cooperation";

(b) Prioritize the provision of services to children in loan and structural adjustment negotiations with international donors;

(c) Collect, and include in the regular budget, disaggregated data on the expenditures for children according to the various areas of the Convention, such as foster care, institutional care, primary and adolescent health care, pre-school, primary and secondary education and juvenile justice.

...

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

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

- Solomon Islands, CRC, CRC/C/132 (2003) 58 at paras. 327, 328, 331 and 332.

327. The Committee is concerned that:

(a) Only a limited number of families are eligible for health insurance coverage plans and

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other social insurance policies;

(b) Only a very small proportion of the population have access to electricity, sanitation and clean running water in their homes;

(c) Levels of poverty are rising and affect a very high proportion of children.

328. The Committee recommends that the State party:

(a) Strengthen its efforts to address poverty, including through a poverty reduction strategy and international cooperation;

(b) Develop and implement measures through which children and their families may benefit from a minimum of social security protection;

(c) Continue its efforts to improve housing and sanitary conditions in both remote and urban areas.

...

331. The Committee is concerned that a large number of children have been displaced during the recent armed conflict.

332. The Committee urges the State party to make every effort to protect the civilian population from displacement, giving particular attention to the situation of unaccompanied children and the need for effective family tracing and reunification. The Committee also urges the State party to ensure that all displaced children and their families 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. The Committee further urges the State party to provide returning children and their families with assistance in re-establishing themselves in their homes. In addition, the Committee urges the State party 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.

- Libyan Arab Jamahiriya, CRC, CRC/C/132 (2003) 74 at paras. 352, 353, 360-363, 368 and 369.

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

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laws, including personal status laws.

353. The Committee encourages the State party:

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

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

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

...

360. The Committee welcomes information on progress achieved in addressing economic disparities between regions, but is concerned at the lack of specific information in terms of the percentage of the national budget allocated for expenditures in the various areas covered by the Convention, and that insufficient attention has been given to the allocation of resources for programmes and policies to promote the civil and political rights of children.

361. The Committee recommends that the State party:

(a) Develop a budgeting system that would allow expenses for children’s issues as a percentage of the national budget to be clearly identified, in order to have a clearer picture of the actual allocation of resources and a systematic assessment of the impact of those allocations on the implementation of children’s rights;

(b) Strengthen its efforts to allocate resources for programmes and policies to promote the civil and political rights of children.

362. The Committee notes the information on cooperation with national associations in the development and welfare sectors, but is concerned that little effort has been made to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms. The Committee notes that the delegation was unable to provide complete information on the limitations imposed by law on, in particular, the registration and funding of organs of civil society.

363. The Committee recommends that the State party:

(a) Systematically involve civil society, especially children’s associations, throughout all

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stages of the implementation of the Convention, especially with respect to civil rights and freedoms;

(b) Ensure that legislation regulating NGOs (including article 206 of the Penal Code) conforms to article 15 of the Convention and other international standards on freedom of association, as a step in facilitating and strengthening their participation.

...

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

369. The Committee recommends that the State party:

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

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

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 405, 406, 417, 418, 432, 433, 440 and 441.

405. While noting the information that the Child Care and Protection Act will provide for the establishment of the Child Advocate, the Committee reiterates its concern about the lack of an independent body for the implementation of the Convention. The Committee is furthermore concerned at the State party's withdrawal from the first Optional Protocol to the International Covenant on Civil and Political Rights in 1998, which eliminated the right to submit individual communications for individuals under the State party's jurisdiction and which also directly affects persons under 18 years.

406. The Committee recommends that the State party:

(a) Establish an independent and effective mechanism, e.g. through the creation of the Office of the Child Advocate, in accordance with the Paris Principles and the Committee's general comment No. 2;

(b) Seek technical assistance from, among others, UNICEF and OHCHR;

(c) Consider re-accessing to the first Optional Protocol to the International Covenant on Civil and Political Rights.

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...

417. The Committee is concerned that:

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

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

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

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

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

...

432. While noting the progress made in the area of the rights of children with disabilities, including the work done in cooperation with NGOs and United Nations agencies and, *inter alia*, the adoption of the Copenhagen Declaration and Plan of Action of 1995, the Committee remains concerned that:

(a) The State party's statistics on children with disabilities may be incomplete and, in particular, do not take into consideration all children with disabilities, as can be seen, for instance, in the fact that children with disabilities are not included in government children's homes;

(b) There are insufficient resources and no specialized staff and institutions for children with disabilities, including day-care opportunities, as well as insufficient therapeutic and training programmes for children, parents and staff;

(c) There is no national system for early detection and intervention with regard to children with disabilities;

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(d) Insufficient efforts have been made to facilitate the inclusion of children with disabilities into the educational system and society in general, including efforts to change traditional attitudes towards persons with disabilities and to improve access to information, medical facilities, etc.

433. The Committee recommends that the State party:

(a) Conduct a survey to identify the number of children with disabilities, including children in government children's homes, as well as causes of and ways to prevent disability;

(b) In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia*, by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible to children with disabilities;

(c) Establish a national system for early detection, referral and intervention including both increased government provisions via public institutions, and community-based as well as NGO interventions;

(d) Seek further technical assistance and cooperation for the creation of more effective specialized institutions, including day-care centres, and for the training of children with disabilities, their parents and professional staff working with and for children with disabilities.

...

440. Noting the intention to reform the social safety net for the poor, the Committee, in the light of its earlier concern about the large number of families living in poverty (CRC/C/15/Add.32, para. 20), wishes to stress that the situation is made more difficult by the lack of an efficient social security policy. The Committee is also concerned that the existing standard of living hampers children's physical, mental, spiritual, moral and social development.

441. The Committee therefore recommends that the State party strengthen its efforts to revise and/or establish a social security policy along with a clear and coherent family policy, as well as effective strategies for using the social safety net benefits to further the rights of children. Furthermore, the Committee recommends that the State party develop and implement a poverty reduction strategy and seek assistance from the international community, including United Nations agencies and other competent bodies, in that effort.

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- Morocco, CRC, CRC/C/132 (2003) 100 at paras. 506, 507, 510 and 511.

506. The Committee notes the efforts undertaken by the State party, notably through the National Five-Year Plan for Social and Economic Development (2000-2004), but remains concerned about the large number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, children living in remote rural areas and street children. In addition, the Committee is concerned that not many children benefit from the social security system.

507. In accordance with article 27 of the Convention, the Committee recommends that the State party:

- (a) Strengthen its efforts to provide support and material assistance to economically disadvantaged families, including single-parent families, and to guarantee the right of children to an adequate standard of living;
- (b) Extend further and strengthen the social security coverage;
- (c) Consider preparing a poverty reduction strategy with special emphasis on vulnerable children and their families;
- (d) Seek assistance from United Nations agencies and donors.

...

510. The Committee welcomes the ratification by the State party of the Optional Protocol to the Convention on the involvement of children in armed conflict and the setting of the minimum age for compulsory recruitment into the armed forces at 20 years, but remains concerned at the situation of children living in Western Sahara.

511. In light of article 38 of the Convention, the Committee recommends that the State party take all feasible measures to ensure full protection and care of children who are affected by the armed conflict taking place in Western Sahara.

- Syrian Arab Republic, CRC, CRC/C/132 (2003) 116 at paras. 533-536.

533. The Committee regrets that no review has been undertaken with respect to the reservations since the presentation of the initial report. Noting the State party's reasoning in the report, it reiterates its concern that the nature of the general reservation potentially negates many of the Convention's provisions and raises concern as to its compatibility with the object and purpose of the Convention. In particular, concerning article 14, the reservation gives rise to infringements of the freedoms of thought, conscience and religion; concerning articles 20 and 21, the reservation is unnecessary: the Committee points out that

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article 20 (3) of the Convention expressly recognizes *kafalah* as a form of alternative care. Article 21 expressly refers to those States that “recognize and/or permit” the system of adoption, which does not apply to the State party because it does not recognize the system of adoption.

534. The Committee recommends that the State party, in accordance with the Vienna Declaration and Plan of Action, and taking account of the Human Rights Committee's general comment No. 22, study its reservation, particularly concerning articles 14, 20 and 21, with a view to withdrawing it.

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

536. The Committee recommends that the State party:

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

- Kazakhstan, CRC, CRC/C/132 (2003) 129 at paras. 633-636.

633. The Committee welcomes the legislation relating to social, medical and educational support for children with special needs and is aware of the efforts of the State party to address the problems children with disabilities face, particularly relating to education, health and employment.

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634. The Committee is deeply concerned by the information provided in the State party's report that the number of children with disabilities (currently 49,800) has tripled in the past 12 years, and notes that national legislation includes children only up to the age of 16 in the category of disabled children.

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

- (a) That in the Constitution, disability is not included in the list of grounds for protection from discrimination;
- (b) At the practice of institutionalizing children with disabilities;
- (c) At the lack of counselling and psychological care provided by the State for disabled children;
- (d) At the lack of State support to families with disabled children;
- (e) At the societal discrimination faced by children with disabilities;
- (f) At the considerable reduction of privileges, including free medical care and prosthetics;
- (g) At the considerable reduction in the resources allocated to residential homes;
- (h) At the limited inclusion of, and access by, children with disabilities to various areas of daily life, in particular with regard to the education system.

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

- (a) Undertake studies to determine the causes of and ways to prevent children becoming disabled;
- (b) Consider amending legislation so as to include all children below the age of 18 years into the category of disabled children;
- (c) Conduct public-awareness campaigns to raise awareness of the situation and the rights of children with disabilities and to counter negative attitudes which hamper the implementation of these rights. The promotion of their rights could further be advanced through, for instance, support to parents' organizations and community-based services and a sustained programme to move children from institutions to a good family environment;

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(d) Allocate the necessary resources for programmes, medicines and prostheses, trained staff and facilities for all children with disabilities, especially for those living in rural areas;
...

- San Marino, CRC, CRC/C/133 (2003) 9 at paras. 26, 27, 34 and 35.

26. The Committee welcomes Act No. 36 of 26 February 2002 which has changed the system of the sources of law in the State party by considering general international law as an integral part of its constitutional order and notes that new laws have been adopted by the State party to harmonize the existing legislation with the Convention, but remains concerned that domestic legislation still does not fully reflect the principles of the Convention. The Committee is further concerned that *ius commune* is still the predominant rule, which may not always be conducive to the realization of children's rights.

27. The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention. In that regard, the Committee recommends that the State party make a comprehensive review of its *ius commune* to identify the provisions of domestic legislation which contradict the principles and provisions of the Convention.

...

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

35. The Committee recommends that the State party:

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

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

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

- Canada, CRC, CRC/C/133 (2003) 14 at paras. 58, 59, 66-68, 71, 72, 88-93, 108 and 109.

58. The Committee notes that the application of a considerable part of the Convention falls within the competence of the provinces and territories, and is concerned that this may lead, in some instances, to situations where the minimum standards of the Convention are not

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applied to all children owing to differences at the provincial and territorial level.

59. The Committee urges the Federal Government to ensure that the provinces and territories are aware of their obligations under the Convention and that the rights in the Convention have to be implemented in all the provinces and territories through legislation and policy and other appropriate measures.

...

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

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

68. The Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations so as to ensure implementation of the economic, social and cultural rights of children, in particular those belonging to marginalized and economically disadvantaged groups, "to the maximum extent of ... available resources". The Committee further encourages the State party to state clearly every year its priorities with respect to child rights issues and to identify the amount and proportion of the budget spent on children, especially on marginalized groups, at the federal, provincial and territorial levels in order to be able to evaluate the impact of the expenditures on children and their effective utilization. The Committee encourages the State party to continue to take measures to prevent children from being disproportionately affected by future economic changes and to continue its support to non-governmental organizations working on the dissemination of the Convention.

...

71. The Committee notes positive developments with respect to measures to promote and protect cultural diversity and specific legislative measures regarding discrimination, including the Multiculturalism Act, in particular as it bears upon the residential school system, the Employment Equity Act, and the amendment to the Criminal Code introducing racial discrimination as an aggravating circumstance (see also the 2002 annual report of the Committee on the Elimination of Racial Discrimination (CERD) (A/57/18), paras. 315-343). However, the Committee joins CERD in its concerns, in particular as they relate to children, such as those relating to the Indian Act, to the extent of violence against and deaths in

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custody of Aboriginals and people of African and Asian descent, to existing patterns of discrimination and expressions of prejudice in the media and to the exclusion from the school system of children of migrants with no status, and remains concerned at the persistence of *de facto* discrimination against certain groups of children (see also *ibid.*, paras. 332, 333, 335 and 337).

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

...

88. The Committee welcomes measures taken by the Government to provide assistance to families through expanded parental leave, increased tax deductions, child benefits and specific programmes for Aboriginal people. The Committee is nevertheless concerned at reports relating to the high cost of childcare, scarcity of places and lack of national standards.

89. The Committee encourages the State party to undertake a comparative analysis at the provincial and territorial levels with a view to identifying variations in childcare provisions and their impact on children and to devise a coordinated approach to ensuring that quality childcare is available to all children, regardless of their economic status or place of residence.

90. The Committee is encouraged to learn that homelessness was made a research priority by the Canada Mortgage and Housing Corporation, as the sources of data are limited. However, the Committee shares the concerns of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.31, paras. 24, 46) which noted that the mayors of Canada's 10 largest cities have declared homelessness to be a national disaster and urged the Government to implement a national strategy for the reduction of homelessness and poverty.

91. The Committee reiterates its previous concern relating to the emerging problem of child poverty and shares the concerns expressed by the Committee on the Elimination of Discrimination Against Women (CEDAW) relating to economic and structural changes and deepening poverty among women, which particularly affects single mothers and other vulnerable groups, and the ensuing impact this may have on children.

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92. The Committee recommends that further research be carried out to identify the causes of the spread of homelessness, particularly among children, and any links between homelessness and child abuse, child prostitution, child pornography and trafficking in children. The Committee encourages the State party to further strengthen the support services it provides to homeless children while taking measures to reduce and prevent the occurrence of this phenomenon.

93. The Committee recommends that the State party continue to address the factors responsible for the increasing number of children living in poverty and that it develop programmes and policies to ensure that all families have adequate resources and facilities, paying due attention to the situation of single mothers, as suggested by CEDAW (A/52/38/Rev.1, para. 336), and other vulnerable groups.

...

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

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

- New Zealand, CRC, CRC/C/133 (2003) 27 at paras. 153 and 154.

153. The Committee is concerned that a significant proportion of children in the State party live in poverty and that single-parent families headed by women, as well as Maori and Pacific Island families, are disproportionately affected.

154. In accordance with article 27, paragraph 3, of the Convention, the Committee recommends that the State party take appropriate measures to assist parents, in particular

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single parents, and others responsible for the child to implement the child's right to an adequate standard of living. In this regard, the Committee recommends that the State party ensure that assistance provided to Maori and Pacific Island families respects and supports their traditional extended family structures.

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 200, 201, 222-225, 228, 230, 233 and 234.

200. The Committee takes note of the recognition given to the problem of honour killings by the State party, but is nonetheless very concerned at the widespread and increasing problem of so-called honour killings, affecting children both directly and, through their mothers, indirectly. The Committee is seriously concerned that, despite the efforts of the State party, the police are often reluctant to arrest the perpetrators and that the latter receive lenient or token punishment.

201. The Committee recommends that the State party take all necessary measures to ensure that there is no discriminatory treatment for crimes of honour and that they are promptly, fairly and thoroughly investigated and prosecuted. In addition, the Committee recommends that the State party undertake a thorough review of the existing legislation and strengthen awareness-raising campaigns in this regard.

...

222. The Committee reiterates its concern at the existence of harmful traditional practices, including forced and/or early child marriages and dowry-related violence, which pose very serious threats to children, and emphasizes the lack of interventions on the part of the State party to address these issues.

223. The Committee recommends that the State party, as a matter of urgency, take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, which affect the girl child in particular.

...

224. The Committee is very concerned at the high number of children living in poverty, the shortage of adequate housing, clean water, adequate sanitation and sewage and the problem of air pollution, all of which have a serious negative impact on the living conditions of children in the State party, causing injuries, sickness and death.

225. In accordance with article 27 of the Convention, the Committee recommends that the State party:

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

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(b) Pay particular attention to the rights and needs of children in its poverty reduction strategy paper and in all programmes intended to improve the standard of living in the country, including access to clean water and unpolluted air;

(c) Strengthen the social security system to broaden its coverage so as to include non-working parents.

...

228. The Committee is further concerned at reports of madrasas being involved in recruiting children, including forcibly, to participate in armed conflicts, especially in Afghanistan and in Jammu and Kashmir.

...

230. The Committee recommends that the State party:

(a) Ensure the protection of children from maltreatment within madrasas through the establishment of an adequate monitoring mechanism;

(b) Continue and strengthen its planned reform of madrasas, with a view to broadening the scope of the education given in madrasas;

(c) Take effective measures to ensure that children below the age of 18 years are not involved in hostilities and to protect children from forced recruitment.

...

233. The Committee is concerned that, in spite of legislation prohibiting the involvement of children in hostilities, there are reports of children being recruited, including forcibly, to participate in armed conflicts, especially in Afghanistan as well as in Jammu and Kashmir.

234. The Committee recommends that the State party:

(a) Take effective measures to ensure that children below the age of 18 years are not involved in hostilities and that children below the age of 15 years are not recruited into armed forces;

(b) Develop, in collaboration with NGOs and international organizations, a comprehensive system for the reintegration and recovery of children who have participated in hostilities.

- Madagascar, CRC, CRC/C/133 (2003) 56 at paras. 272, 273, 281, 282, 287, 288, 291, 292, 306 and 307.

272. The Committee is aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention and welcomes the production of the Guide to the Protection of Children, but it is of the opinion that these measures are not sufficient

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and need to be strengthened by providing the necessary resources. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children and in the society at large.

273. In line with its previous recommendations ([CRC/C/15/Add.26], para. 17), the Committee recommends that the State party:

(a) Strengthen its efforts towards and systematize the dissemination of the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;

(b) Involve systematically parliamentarians and community and religious leaders in its programmes in order to fight against customs and traditions that impede the implementation of the Convention, and adopt creative means of communications for illiterate people and for people living in remote areas;

(c) Undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(d) Further promote human rights education, including in the rights of the child, in the curricula of primary and secondary schools, as well as in the curricula for teacher training;

(e) Seek technical assistance from, among others, OHCHR, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and UNICEF.

...

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

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

...

287. While noting the State party's efforts to enhance access to information for children (e.g. establishment of a library in all schools), the Committee shares the concern of the State party that children may nevertheless be exposed to harmful information through access to violent and pornographic videos.

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288. The Committee recommends that the State party implement further means and measures of protecting children from information that may be harmful to them.

...

291. The Committee shares the State party's concern at the immediate and long-term consequences on children of the weakening of the family structure.

292. The Committee recommends that the State party continue and strengthen its support to families, including through legal and financial assistance in obtaining adequate housing, basic social services and counselling to help resolve problems. The Committee urges the State party to give particular attention to the establishment of psychosocial and parental guidance programmes to strengthen vulnerable family units such as single-parent households.

...

306. The Committee notes the challenging socio-economic situation and the adoption, in 2003, of a chapter on special protection in the poverty reduction strategy paper. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, street children and children living in remote rural areas.

307. In accordance with article 27 of the Convention, the Committee recommends that the State party:

(a) Strengthen its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living, in particular, access to drinking water, health, housing and hygiene;

(b) Pay particular attention to the rights and needs of children in the poverty reduction strategy paper and in all programmes intended to improve the standard of living in the country;

(c) Cooperate and coordinate its efforts with civil society and local communities.

- Brunei Darussalam, CRC, CRC/C/133 (2003) 73 at paras. 328, 329, 363 and 364.

328. The Committee is deeply concerned that the broad and imprecise nature of the State party's general reservation potentially negates many of the provisions and principles of the Convention as to its compatibility with the object and purpose of the Convention, as well as the overall implementation of the Convention.

329. The Committee strongly recommends that the State party expeditiously undertake the re-examination of its reservations with a view to reconsidering and ultimately withdrawing

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them, in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights (1993). In this regard, the Committee considers that the State party should benefit from the recent withdrawal of a similar reservation by another State party. In addition, the Committee recommends that the State party study its reservations to articles 14, 20 and 21 of the Convention with a view to withdrawing them.

...

363. The Committee notes the existence of a premarital course for every couple prior to their marriage.

364. The Committee recommends that the State party uses this premarital course to include teaching about the principles and provisions of the Convention.

- Singapore, CRC, CRC/C/133 (2003) 84 at paras. 388, 406, 407, 417 and 418.

388. The Committee notes with appreciation the State party's development and dissemination of awareness-raising materials, including child-friendly pamphlets and brochures, on the rights of children for both parents and children.

...

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

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

...

417. The Committee welcomes the State party's efforts to provide counselling and assistance to families and children and to resolve difficulties between parents and children without resorting to the courts and in a manner consistent with the best interests of the child. Nevertheless, it is concerned that children in such circumstances are not afforded the full protection of the law because parents are able to file complaints that their children are "beyond parental control", which, according to the law, can lead to the placement of these children in institutions for juvenile delinquents. The Committee also shares the State party's concern that children are left at home alone.

418. The Committee recommends that the State party continue its efforts to provide support

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and counselling for families at risk, and amend its legislation to ensure the full protection of children in difficult circumstances while eliminating the possibility for parents to initiate court proceedings against their children because they are “beyond parental control”. The Committee further recommends that the State party expand measures to support working parents and to prevent children from being left alone at home.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 444, 445, 460, 461, 493 and 494.

444. The Committee notes with appreciation the legislative measures that have been undertaken by the State party in order to ensure the implementation of the Convention. Nevertheless, the Committee remains concerned that domestic legislation and customary law are not fully compatible with all the principles and provisions of the Convention and that laws implementing the Convention are frequently not applied, particularly in rural areas.

445. The Committee recommends that the State party take all effective measures to harmonize its domestic legislation fully with the provisions and principles of the Convention, in particular with regard to existing minimum ages of criminal responsibility and of marriage, child labour and harmful traditional practices affecting children.

...

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

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

...

493. The Committee is deeply concerned at the existence of harmful traditional practices, such as child marriages and dowry-related violence, which are widespread and pose very serious threats, in particular to the girl child.

494. The Committee recommends that the State party continue and intensify its efforts to eradicate harmful traditional practices, by strengthening awareness-raising programmes and enforcement of the law.

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- Georgia, CRC, CRC/C/133 (2003) 111 at paras. 544-547, 566-569, 572, 573, 584 and 585.

544. The Committee welcomes the information provided in the State party's report on the Children's Parliament, the Children's Forum and the Georgian Children's Federation, as well as on the provisions of the Children's and Youth Associations Act, and notes the resolution of the Children's Parliament recommending representation of children with disabilities and children in institutions among its membership.

545. The Committee recommends that the State party continue and strengthen its efforts to promote and support these and other activities of children and in particular facilitate and support participation of children with disabilities and children in institutions.

546. The Committee welcomes the steps taken by the State party to enact legislation to protect children from harmful information, such as the changes made in the Law on Advertisement in the context of prevention of pornography.

547. The Committee recommends that the State party ensure implementation of the new legislation to protect children from harmful information, while promoting the possibility of access for all children to appropriate information.

...

566. The Committee notes that a government commission was set up to facilitate development of programmes to overcome poverty and promote economic growth. However, it also notes the recommendation made by the Committee on Economic, Social and Cultural Rights which encouraged the State party to reform its social security system and accord attention in particular to the most disadvantaged and marginalized groups. In addition, the Committee regrets that social benefits for children with disabilities are discontinued when they reach 16 years.

567. The Committee encourages the State party to pursue efforts to reform its social security system, as recommended by the Committee on Economic, Social and Cultural Rights as this relates to children. Furthermore, it urges the State party to extend payment benefits to all children with disabilities, including those between 16 and 18 years of age.

568. The Committee, while noting that the primary responsibility of securing the necessary living conditions for the child lies with the parents, shares the concerns of the Committee on Economic, Social and Cultural Rights about the increasing level of poverty, the poor living conditions of the majority of the population, the high unemployment rate, the low level of salaries and of social security benefits, and the rampant problem of corruption. The Committee is concerned that such a situation adversely affects the physical, mental, spiritual, moral and social development of children. Furthermore, the Committee notes that certain benefits are limited to children and families residing in the capital, Tbilisi.

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569. The Committee encourages the State party to implement fully the Poverty Reduction Programme and to take measures to assist parents and others responsible for children by intensifying efforts to combat poverty with a view to improving the standard of living of children and providing material assistance and support programmes, without discrimination based on place of residence, in accordance with article 27 of the Convention.

...

572. ...[W]hile noting that there has been no progress in the right of internally displaced persons to return to their homes in safety and dignity, the Committee regrets that the report does not include information on efforts made to improve the current conditions of the internally displaced persons, as envisaged by the "New Approach". The Committee is also concerned at the situation of refugee children and lack of sufficient programmes targeting refugee children, in particular the most vulnerable ones.

573. The Committee reiterates the recommendations made following the consideration of the initial report. Furthermore, it urges the State party to pay particular attention to the situation of internally displaced children and their families, while continuing to support their right to return voluntarily to their homes in safety and dignity. It further recommends that the State party amend the 1998 Law on Refugees and by-laws to fully reflect its commitments under the Convention relating to the Status of Refugees of 1951 and its Protocol of 1967 by offering a clear legal status to *prima facie* refugees.

...

584. The Committee welcomes the ratification by the State party of the International Convention on the Elimination of All Forms of Racial Discrimination. However, while the Committee is cognizant of the ethnic and religious diversity and tolerance in Georgia, it remains concerned at the increasing instances of direct or indirect discrimination and intolerance and the lack of an adequate response, as noted by the Council of Europe's European Commission against Racism and Intolerance (ECRI).

585. The Committee encourages the State party to take measures to combat racism, xenophobia, discrimination and intolerance by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and ECRI, in particular as they relate to children. The Committee recognizes the important role of education in this respect and encourages the State party to continue to support education in languages of the minorities as well as education in their mother tongue for the ethnic Georgian population not having access to it.

- New Zealand, CRC (Optional Protocol - Armed Conflict), CRC/C/133 (2003) 126 at paras. 591 and 598.

591. The Committee welcomes the State party's international and bilateral technical cooperation activities and financial assistance aimed at preventing the involvement of

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children in armed conflicts and at assisting the recovery of child victims of armed conflicts and the rehabilitation and recovery of child combatants.

...

598. The Committee recommends that the State party undertake systematic education and training on the provisions of the Convention for all relevant professional groups, in particular military personnel. In addition, the Committee recommends that the State party make the provisions of the Optional Protocol widely known to children, through, *inter alia*, school curricula.

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 33-35, 40, 41, 50, 51, 87-92, 110 and 111.

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

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

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

...

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

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

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

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

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complaints by children, in particular children affected by conflict;

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

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

...

45. The Committee recommends that the State party:

(a) Strengthen its measures regarding the dissemination of and the training on the Convention of all relevant professionals and implement them in an ongoing and systematic manner;

(b) Take specific measures to make the Convention available to and known by all children, especially those belonging to ethnic minorities.

...

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

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

...

87. The Committee is alarmed at the high level of fatalities in Aceh, West Kalimantan, Central Sulawesi, Maluku and Ambon, as well as those which resulted from the conflict in East Timor in 1999. The Committee is further concerned that children affected by armed conflict remain a particularly vulnerable group and that the perpetrators of violations of their human rights, especially during conflicts, are rarely prosecuted.

88. The Committee is concerned that martial law in Aceh might have a negative impact on the protection and implementation of the rights of children.

89. The Committee is deeply concerned at the report of the use of child soldiers, notably in Aceh and Maluku, as well as in East Timor up to 1999.

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91. The Committee urges the State party:

- (a) To take measures to prevent and end the violence affecting children's lives and rights, especially in areas such as Aceh, Maluku and West Papua;
- (b) To ensure that the application of martial law in Aceh under no circumstances contradicts the rights guaranteed in the Convention on the Rights of the Child;
- (c) To take immediate measures to facilitate access to children and their families by national and international aid and humanitarian agencies, particularly in Aceh;
- (d) To prevent the use of children in armed conflict by regular army, paramilitary and rebel groups;
- (e) To abide faithfully by the principles of human rights law and international humanitarian law and the conventions to which Indonesia is party;
- (f) To ensure that all persons, including senior officials, who have sponsored, planned, incited, financed or participated in military or paramilitary operations using child soldiers or children as sexual slaves, or violating any rights of the children, will be prosecuted, including those who committed abuses in East Timor in 1999.

92. The Committee recommends that the State party develop a comprehensive policy and programme for implementing the rights of children who have been affected by conflict. In particular, the Committee recommends that the State party:

- (a) Develop, in collaboration with NGOs and international organizations, a comprehensive system of psychosocial support and assistance for children affected by conflict, in particular child combatants, unaccompanied IDPs and refugees, returnees and smuggled children, which also ensures their privacy;
- (b) Take effective measures to ensure that children affected by conflict can be reintegrated into the education system, including through the provision of non-formal education programmes and by prioritizing the rehabilitation of school buildings and facilities and the provision of water, sanitation and electricity in conflict-affected areas;
- (c) Criminalize the recruitment and use of children for military purposes by any armed force or armed group;
- (d) Provide alternatives to military recruitment, including by increasing employment and education opportunities, particularly for vulnerable children in refugee diaspora and tribal areas.

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...

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

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

- Guyana, CRC, CRC/C/137 (2004) 26 at paras. 137, 138, 166, 167, 172 and 173.

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

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

...

166. While noting the study with UNICEF on street children and the State party's awareness of the phenomenon of increasing numbers of street children, the Committee remains concerned at the situation of street children and at the lack of adequate and sufficient measures to address this situation.

167. The Committee recommends that the State party continue and strengthen its efforts to assist street children, including reintegration into their families as well as taking preventive measures. It also recommends that the State party continue to seek international assistance from, *inter alia*, UNICEF and ILO in this regard.

...

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

173. In light of articles 2 and 30 of the Convention and the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in

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September 2003, the Committee recommends that the State party take all necessary measures to protect Amerindian children against discrimination and to guarantee their enjoyment of all the rights recognized in the Convention. The Committee also recommends that the current revision of the Amerindian Act reflect the provisions and principles of the Convention.

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 200, 201, 228, 229, 233 and 234.

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

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

228. While acknowledging the efforts made by the State party to address the high level of poverty, including the Strategic Programme to Overcome Poverty approved in 2003 and the increase of benefits and allowances for poor families and children, the Committee remains deeply concerned about the large number of children living below the absolute poverty line.

229. The Committee recommends that the State party continue and strengthen its efforts to support poor families and provide the necessary resources for the full implementation of the Strategic Programme to Overcome Poverty.

...

233. The Committee notes with concern the general deterioration in children's access to quality leisure facilities like sports centres and public libraries.

234. The Committee recommends that the State party give priority to improving children's access to, and quality of, sports centres, cultural institutions and other leisure facilities.

- Germany, CRC, CRC/C/137 (2004) 51 at paras. 260, 261, 274, 275, 283, 284, 297-302, 309 and 310.

260. The Committee is aware of the numerous laws relevant to children's rights which have been adopted since the consideration of the initial report but remains concerned that the Convention has not been incorporated into the Basic Law, as foreseen at the time of the

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initial report.

261. In light of its previous recommendations ([CRC/C/15/Add.43], para. 21), the Committee recommends that the State party:

- (a) Reconsider the incorporation of the Convention into the Basic Law;
- (b) Ensure, through an appropriate mechanism, that all national and Länder laws fully conform with the Convention;
- (c) Ensure that adequate provision is made for the effective implementation of those recommendations, including through budgetary allocations.

...

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

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

...

283. While welcoming the State party's efforts to protect children from harmful printed and electronic communications media (e.g. the Youth Protection Act and the interstate agreement on the protection of minors in the media, 2003), the Committee remains concerned that the legal situation might be complicated due to a multiplication of legal instruments and that the sharing of responsibilities between the federal and Land levels is not clear.

284. The Committee recommends that the State party:

- (a) Ensure the full implementation of the newly adopted regulations on the protection of children against harmful information and find ways to make the legal situation in this regard more transparent;
- (b) Consider further means, including through the provision of advice to parents, of protecting children from information that may be harmful to them.

...

297. The Committee notes that the prohibition on the practice of female genital mutilation

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is covered under criminal law, but expresses its concern at reports that female genital mutilation is practised in the State party on girls from sub-Saharan countries.

298. The Committee recommends that the State party:

(a) Undertake a study on the extent and nature of female genital mutilation practised in the State party or abroad on girls who live in Germany;

(b) Organize an information and awareness-raising campaign, taking into account the results of the study, to prevent this practise;

(c) Involve in this work non-governmental organizations that are active in this field;

(d) Give priority to the elimination of female genital mutilation in its programme of international cooperation by, *inter alia*, extending financial and technical assistance to countries of origin where female genital mutilation is practised that have active programmes designed to eliminate this practice.

299. The Committee shares the concerns of the State party regarding the lack of sufficient childcare facilities, especially in the western part of the country (see CRC/C/83/Add.7, paragraphs 584, 585 and 630) and of national standards for these facilities.

300. In line with articles 18 (3) and 25 of the Convention and in light of the recommendations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.68, para. 44), the Committee recommends that the State party take measures to establish more childcare services to meet the needs of working parents, and to set up national standards to ensure quality childcare is available to all children.

301. The Committee notes the change in policy from financial transfers to an emphasis on building appropriate infrastructure for poor families. It also welcomes the first national report on poverty (2001) and notes the increase in child allowances over the past years as well as the income tax reform which provides for measures to help families with children, but remains concerned at the prevalence of poverty, mainly affecting large families, single-parent families, families of foreign origin and disproportionately families from the eastern part of the State party, as indicated in the eleventh Youth Report.

302. The Committee, in line with its previous recommendations ([CRC/C/15/Add.43], para. 31) recommends that the State party:

(a) Take all necessary measures to the “maximum extent of ...available resources” to accelerate the elimination of child poverty, notably to eliminate the disparities between the eastern and western parts of the country;

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(b) Continue to provide material assistance and support to economically disadvantaged families, notably single-parent families and families of foreign origin, to guarantee the right of children to an adequate standard of living;

(c) Evaluate appropriately the changes in social policies.

...

309. While noting the efforts undertaken in this regard, the Committee expresses its concerns at the increasing number of street children in the State party, as well as the high percentage of foreign children among them.

310. The Committee recommends that the State party:

(a) Pursue its efforts to prevent and reduce this phenomenon by addressing its root causes with a special emphasis on the protection of foreign children;

...

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 345, 346, 348, 349, 354, 355, 360 and 361.

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

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

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...

348. The Committee notes the information that euthanasia remains a crime under article 293 of the Penal Code, but which is not prosecuted if committed by a medical doctor who meets the criteria explicitly set out in article 293 (2) of the Penal Code and follows the procedures required by law and regulations. As this legislation is also applicable to children aged 12 years or older, requiring explicit and repeated requests from the child, and parental consent if the child is younger than 16 years, the Committee is concerned about the monitoring of such requests because controls are exercised after the request has been fulfilled and because some cases are not reported by doctors. The Committee is concerned about information that medical personnel have terminated the life of newborn infants with severe abnormalities.

349. With respect to the Human Rights Committee's recommendations in this regard (CCPR/CO/72/NET, para. 5), the Committee recommends that the State party:

(a) Frequently evaluate, and if necessary revise, the regulations and procedures in the Netherlands with respect to the termination of life on request in order to ensure that children, including newborn infants with severe abnormalities, enjoy special protection and that the regulations and procedures are in conformity with article 6 of the Convention;

(b) Take all necessary measures to strengthen control of the practice of euthanasia and prevent non-reporting, and to ensure that the mental and psychological status of the child and parents or guardians requesting termination of life are taken into consideration when determining whether to grant the request;

...

354. The Committee is concerned about the reduction of funding for childcare institutions, facilities and services, including day care, in the State party, which has resulted in waiting lists and a fragmentation of services aimed at assisting parents in their child-rearing responsibilities.

355. In light of article 18, the Committee recommends that the State party evaluate services available to parents to assist them in their child-rearing responsibilities in order to determine the cause of waiting lists in the Netherlands and assess the quality of services provided. The Committee further recommends that throughout the Kingdom, the State party increase the funding and availability of quality childcare facilities and services, support parental education programmes, in particular for parents of disadvantaged and vulnerable children and adolescents, and ensure that all children and adolescents of working parents have the right to benefit from these services and facilities.

...

360. The Committee welcomes the continuing efforts to integrate children with disabilities into the mainstream education system, in particular in the Netherlands. However, it is concerned that children with disabilities in the Netherlands spend a significant amount of time waiting to access services and programmes. In addition, the Committee is concerned

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that in Aruba, children with disabilities are not fully integrated into society.

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

- (a) Taking all necessary measures to eliminate waiting lists for services and programmes for children with disabilities in the Netherlands;
- (b) Expanding education possibilities for children with disabilities in Aruba, including those with learning disabilities, at the secondary school level;
- (c) Improving the physical accessibility of mainstream schools, leisure and recreational facilities, and other public buildings and spaces in Aruba;
- (d) Undertaking awareness-raising campaigns to address prejudicial attitudes to children with disabilities, and promoting their full integration into society.

- India, CRC, CRC/C/137 (2004) 75 at paras. 381, 387, 388, 397, 398, 403-412, 436, 437, 440, 441 and 444-447.

381. The Committee welcomes the many activities undertaken at the federal and State level for the implementation of the Convention, *inter alia*:

...

(b) The adoption of the 2003 amendment to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;

(c) The launch of a national programme for the formation of women's self-help groups, which have an important impact on children's rights;

...

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

...

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

- (a) Scrutinize carefully existing legislative and other measures, including religious and

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personal laws, both at the federal and state levels, with a view to ensuring that the provisions and principles of the Convention are implemented throughout the State party;

(b) Ensure the implementation of its legislation and its wide dissemination.

...

397. The Committee notes the cooperation with NGOs in the area of service delivery and their involvement in the preparation of various programmes relevant to the Convention, but is concerned that this cooperation is not systematic and that there is a lack of supervision of NGOs' activities.

398. The Committee emphasizes the important role of NGOs as partners in implementing the provisions of the Convention and, in line with its previous recommendations (CRC/C/15/Add.115, para. 23) recommends that the State party involve them in a more systematic and coordinated manner in all stages of the Convention's implementation, including policy formulation, at the national, state and local levels, and in the drafting of future periodic reports. It also recommends that the State party take into account the recommendations arising from the day of general discussion held in 2002 on the theme "The private sector as service providers and its role in implementing child rights" (CRC/C/121, para. 630) and improve its supervision of private organizations delivering services by, *inter alia*, improving the system of registration and authorization of service providers.

...

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

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

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

406. The Committee recommends that the State party, in accordance with article 17 of its Constitution and article 2 of the Convention, take all necessary steps to abolish the discriminatory practice of "untouchability", prevent caste- and tribe-motivated abuse, and prosecute State and private actors who are responsible for such practices or abuses.

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Moreover, in compliance with article 46 of the Constitution, the State party is encouraged to implement, *inter alia*, special measures to advance and protect these groups. The Committee recommends the full implementation of the 1989 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the 1995 Scheduled Castes and Scheduled Tribes Rules (Prevention of Atrocities) and the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The Committee encourages the State party to continue its efforts to carry out comprehensive public education campaigns to prevent and combat caste-based discrimination with a view to changing social attitudes, by involving, *inter alia*, religious leaders.

407. The Committee welcomes the National Plan of Action for the Girl Child and the Platform for Action, but is deeply concerned at the persistence of discriminatory social attitudes and harmful traditional practices towards girls, including low school enrolment and high dropout rates, early and forced marriages, and religion-based personal status laws that perpetuate gender inequality in areas such as marriage, divorce, custody and guardianship of infants, and inheritance.

408. The Committee urges the State party to take all necessary measures for the implementation of the National Plan of Action for the Girl Child and encourages the enforcement of protective laws. The Committee also encourages the State party to continue its efforts to carry out comprehensive public education campaigns to prevent and combat gender discrimination, particularly within the family. Political, religious and community leaders should be mobilized to support efforts to eradicate harmful traditional practices and attitudes which still discriminate against girls.

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

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

411. The Committee notes the 2003 amendment to the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, but remains deeply concerned that the sex ratio in the age group 0-6 years has worsened over the past decade.

412. In addition to its recommendations regarding gender discrimination, the Committee

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strongly recommends that the State party:

(a) Take all necessary steps to ensure the implementation of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;

(b) Further develop massive awareness campaigns, involving parents, communities, law enforcement officers, etc., and take the necessary measures, including imposing sanctions to end the practice of selective abortions and female infanticide; and

(c) Undertake gender impact studies when planning programmes relating to economic and social policies.

...

436. The Committee is deeply concerned at the existence of harmful traditional practices such as incidents relating to dowries and to devadasis.

437. The Committee recommends that the State party:

(a) Enforce the Dowry Prohibition Act, 1961 and the Karnataka Devadasis (Prohibition of Dedication) Act, 1982 and Rules, 1982;

(b) Take legislative and awareness-raising measures to prohibit and eradicate all kinds of traditional practices harmful to the health, survival and development of children, boys as well as girls; and

(c) Reinforce its sensitization programmes, with the involvement of community leaders, practitioners and the general public, to change traditional attitudes and discourage harmful practices, in particular in rural areas.

...

440. In spite of the growth of the gross domestic product, the Committee is concerned about the widespread poverty in the State party and the still high number of children who do not enjoy the right to an adequate standard of living, including access to clean drinking water, adequate housing and latrines. The Committee is further concerned at the negative consequences of displacement and rehabilitation projects which intend to improve living conditions but which remove children from their habitat to a new environment often not prepared for children's needs.

441. In accordance with article 27 of the Convention, the Committee recommends that the State reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. In light of its previous recommendations (CRC/C/15/Add.115, para. 53), the Committee further recommends that the State party prevent any occurrence of forced relocation, displacement and other types of involuntary population movements.

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...

444. The Committee welcomes the establishment of toll-free “childlines” in about 50 different cities/districts with the support of the Government, in accordance with section 32 (1) (iii) of the Juvenile Justice (Care and Protection of Children) Act 2000 and with the strong and crucial involvement of NGOs, but is concerned at the slow pace of establishment of these “childlines” in all districts of the country. The Committee is further concerned that calls for help and support from children via these “childlines” do not always receive an adequate response owing to the lack of capacity of existing services.

445. The Committee recommends that the State party provide the necessary human and financial support for the establishment and reinforcement of toll-free “childlines” in all districts of the State party and set as a target the date of the submission of its next report to the Committee. Furthermore, the Committee recommends that the State party take the necessary measures to support the existing services, in particular the NGOs, to respond adequately to the calls for help from children (or on their behalf) and, if necessary, for the establishment of new services.

446. The Committee is concerned that the situation in areas of conflict, particularly Jammu and Kashmir and the north-eastern states, has seriously affected children, especially their right to life, survival and development (article 6 of the Convention). The Committee expresses its very serious concern at reports of children who are involved in and are victims of these conflicts.

447. In light of articles 38 and 39 of the Convention, the Committee recommends that the State party ensure respect for human rights and humanitarian law aimed at the protection, care and physical and psychosocial rehabilitation of children affected by armed conflict, notably regarding any participation in hostilities by children. The Committee calls upon the State party to ensure impartial and thorough investigations in cases of rights violations committed against children and the prompt prosecution of those responsible, and that it provide just and adequate reparation to the victims.

- Papua New Guinea, CRC, CRC/C/137 (2004) 94 at paras. 485, 486, 489, 490, 518 and 519.

485. The Committee notes with appreciation the cooperation of the State party with NGOs in the provision of services and their involvement in the preparation of various programmes relating to the Convention. However, the Committee expresses its concern that this involvement may result in a diminished direct commitment on the part of the State party.

486. The Committee wishes to underscore that the State party has primary responsibility for the implementation of the Convention and recommends that the State party remain fully and directly involved in the implementation process while encouraging and supporting NGOs

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in their important function as partners.

...

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

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

...

518. While acknowledging the efforts undertaken by the State party to rehabilitate ex-child soldiers, the Committee expresses its concern that there is still a significant number of children suffering from the very harmful effects of armed conflict.

519. The Committee recommends that the State party set up a comprehensive strategy to ensure that no children are involved in armed conflict and that every ex-child soldier is properly rehabilitated and integrated into the society.

- Slovenia, CRC, CRC/C/137 (2004) 104 at paras. 552-554, 557, 558, 561, 562, 579 and 580.

552. The Committee encourages the State party to strengthen its cooperation with NGOs and involve NGOs and other sectors of civil society working with and for children more systematically throughout all stages of the implementation of the Convention. The Committee also recommends that the State party support and financially assist NGOs, particularly those that work as service providers and supplement the efforts of the State party, maintaining full respect for their autonomy.

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

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

...

557. The Committee notes the rulings of the Constitutional Court (U-I-284/94 of 4 February 1999 and U-I-246/02 of 3 April 2003) that the erasure of about 18,300 people originating from other parts of the former Socialist Federal Republic of Yugoslavia from the Register of Permanent Residence in 1992 had no legal basis and that the permanent residence status should be restored to the affected persons retroactively. The Committee is concerned that many children were negatively affected by this erasure, as they and their families lost their right to health care, social assistance and family benefits as a consequence of losing their permanent residence status and children born in Slovenia after 1992 became stateless.

558. The Committee recommends that the State party proceed with the full and prompt implementation of the decisions of the Constitutional Court, compensate the children affected by the negative consequences of the erasure and ensure that they enjoy all rights under the Convention in the same way as other children in the State party.

...

561. The Committee appreciates the work and the role of Social Work Centres in providing administrative and other types of assistance to children and families, but is concerned at the lack of appropriate and effective measures to strengthen professional capacities of the staff of these centres, as well as at the often lengthy procedures applied.

562. The Committee recommends that the State party take all necessary steps to provide ongoing training to the staff of Social Work Centres and provide for efficient administrative, legal and practical measures to ensure quality and efficiency of all activities of these institutions.

...

579. While welcoming measures undertaken to fight poverty, including the Action Programme against Poverty and Social Exclusion, adopted in 2000, the Committee is concerned about the incidence of poverty in the State party, particularly among Roma and single-parent families.

580. The Committee recommends that the State party continue and further strengthen measures to combat poverty, including special measures targeted at single-parent families and the Roma community.

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- Japan, CRC, CRC/C/137 (2004) 116 at paras. 626, 627, 635, 636, 643 and 644.

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

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

...

635. The Committee is concerned that children’s right to privacy is not fully respected, in particular, with regard to the searching of a child’s belongings, and the fact that staff in institutions may interfere with a child’s personal correspondence.

636. The Committee recommends that the State party:

 - (a) Ensure the full implementation of a child’s right to privacy, including with respect to personal correspondence and searching of personal effects;
 - (b) Amend the Minimum Standards for Child Welfare Institutions so as to bring them into conformity with article 16 of the Convention.

...

643. The Committee is concerned that there are insufficient safeguards to protect children from abduction.

644. The Committee recommends that the State party ratify and implement the Hague Convention on the Civil Aspects of International Child Abduction of 1980.
- El Salvador, CRC, CRC/C/140(2004) 8 at paras. 25, 47, 48 and 51-54.

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

 - (a) The entry into force, in 1994, of the Family Court Procedure Act and the Family Code,

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and the abrogation of the discriminatory distinction between legitimate, illegitimate, natural and incestuous children;

...

(e) The adoption of the Domestic Violence Act (1996), which establishes domestic violence, defined as “any direct or indirect act or omission that causes injury or physical, sexual or psychological suffering or the death of a family member”, as a specific punishable offence, and stipulates that any person who has knowledge of acts of domestic violence may report it to the competent authorities;

...

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

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

...

51. The Committee is deeply concerned about the disproportionately high number of children who are victims of crimes, violence and homicides in the State party.

52. The Committee urges the State party to take effective measures to address the high level of crime, violence and homicides against children within the framework of strategies based on constitutional norms and the rights of the child enshrined in the Covenant. It also recommends that the State party adopt policies which aim at addressing the causes which give rise to the victimization of children.

53. The Committee is concerned that the State party has not taken a more active role in efforts to investigate the disappearance of more than 700 children during the armed conflict between 1980 and 1992. It notes, in this regard, that the efforts which to date have led to the tracing of some 250 children have been undertaken mainly by the NGO *Pro-Búsqueda*.

54. In the light of article 8 of the Convention, the Committee recommends that the State party assume an active role in efforts to trace the children who disappeared during the armed conflict, and, in line with the Human Rights Committee, encourages the State party to proceed with plans to establish a national commission with adequate resources and capacity to trace the disappeared children. It also encourages the State party to ratify the Inter-American Convention on the Forced Disappearance of Persons.

- Panama, CRC, CRC/C/140 (2004) 23 at paras. 142 and 143.

142. The Committee notes with concern the persistent high rate of poverty in the State party, especially in rural areas, and the growing disparities between rich and poor.

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143. The Committee recommends that the State party formulate a comprehensive national strategy to reduce poverty, targeting the most disadvantaged regions and groups and ensuring that the needs of all children are met, seeking international cooperation and assistance whenever necessary.

- Rwanda, CRC, CRC/C/140 (2004) 36 at paras. 213, 214, 217 and 218.

213. The Committee is very concerned about the widespread poverty in the State party and the increasingly high numbers of children who do not enjoy the right to an adequate standard of living.

214. The Committee recommends that, in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance to economically disadvantaged families, child heads of household and abandoned and orphan children and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when implementing its PRSP and all other programmes intended to improve the standard of living in the country.

...

217. The Committee is concerned that children have insufficient opportunities to exercise their rights to leisure and cultural activities.

218. The Committee recommends that the State party improve respect for the right of children to leisure and cultural activities, including by promoting these rights among parents, teachers and community leaders. The Committee recommends that the State party seek assistance from UNESCO and UNICEF in this regard.

- Sao Tome and Principe, CRC, CRC/C/140 (2004) 54 at paras. 270 and 271.

270. The Committee is concerned that children have easy access to pornographic DVDs sold locally.

271. In the light of article 17 (e) of the Convention, the Committee recommends that the State party take all necessary measures to protect children from exposure to harmful information, including pornography. The Committee further recommends that the State party take into consideration the Committee's recommendations emanating from its day of general discussion on the child and the media during its thirteenth session (CRC/C/57).

- Liberia, CRC, CRC/C/140 (2004) 67 at paras. 306-308, 310, 319, 320, 323, 324, 360 and

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361.

306. The Committee notes with deep concern that the recent armed conflict in the State party has had and is having a very negative impact on the country as a whole and children in particular. This man-made disaster has seriously impaired the implementation of the Convention on the Rights of the Child, an implementation process that faces many serious problems and challenges.

307. The armed conflict in the State party caused, *inter alia*, very severe and large-scale violations of the human rights of the children. The State party faces almost overwhelming challenges to rebuild the infrastructures and basic social services necessary for the implementation of the rights of the child. About 20,000 children have been involved in the recent armed conflict and are in urgent need of rehabilitation and social reintegration. The war led to the destruction of almost all of the schools in the country. In 2004, less than 50 per cent of children were enrolled in primary education. Life expectancy at birth is 53 years, and out of 1,000 children, 157 die before the age of one and 235 before the age of 5. The vast majority of doctors, nurses and physician assistants have left the country (before 2000, there were around 260 doctors, currently there are 30). Only 20 per cent of children are fully immunized and 35 per cent are undernourished. These and other severe challenges for the child's right to life, survival and development should be addressed and require major efforts from the State party for which international assistance is of crucial importance.

308. The Accra Peace Agreement (August 2003), the Disarmament, Demobilization, Rehabilitation and Reintegration programme (DDRR) and the Result-focused Transition Framework (RFTF), elaborated under the auspices of the United Nations and other international organizations, form a good basis and instrument for addressing at least the most urgent matters.

...

310. The Committee urges the State party to undertake every measure possible to restore enjoyment by the children in Liberia of their rights as enshrined in the Convention and make this the highest priority and have it reflected in the allocation of human and financial resources. In this regard, the State party should urge the international community, other States agencies of the United Nations system, and NGOs to meet their pledges in the most expedient manner and to further increase their financial and humanitarian assistance. The Committee wishes to express its full support for such an appeal, taking into account the importance the Convention attaches to international cooperation to assist State parties to meet their international obligations under the treaty.

...

319. The Committee is concerned that budgetary allocations are insufficient to respond to national and local priorities for the promotion and protection of children's rights. The Committee is also concerned that aggravated by internal strife and governance problems, international development assistance is slowly delivered.

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320. In the light of articles 2 and 3, the Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, in particular those belonging to economically disadvantaged groups, "to the maximum extent of...available resources and, where needed, within the framework of international cooperation".

...

323. The Committee recognizes the particular importance of an understanding of children's rights in the current post-conflict reconstruction in the State party, and remains concerned that dissemination and understanding of the Convention is still very limited.

324. In the light of article 42, the Committee recommends that the State party make additional efforts in the dissemination of the Convention, provide training on its provisions for professionals, inter alia, law officials, teachers and health workers, and provide teaching on its provisions to the adult population. The State party should ensure that such training focuses on, and contributes to, practical implementation of the Convention's provisions and principles. In addition, the Committee recommends that the State party make every effort to develop a culture of knowledge and respect for human rights in all sectors of the population.

...

360. The Committee notes that the Comprehensive Peace Agreement of 18 August 2003 recognizes the special demobilization and reintegration needs of child combatants. However, the Committee expresses its extremely deep consternation at the very high number of children who have been forcibly recruited into armed forces and armed groups by all parties involved in the conflict, including children as young as nine years old. The Committee is also concerned that these children have been forced to carry goods and weapons, guard checkpoints and often fight in the front line, while girls have been raped and forced to become servants of the soldiers as well as combatants. The Committee is deeply concerned at the direct effects of the armed conflict on all child victims, including child combatants, and about the tragic loss of life and severe psychological trauma inflicted upon them. The Committee is also concerned at the very high number of children who have been internally displaced within the country or who have been forced to leave as refugees including, in particular, those who have been separated from their parents.

361. The Committee urges the State party:

(a) To take every feasible measure to have all child abductees and combatants released and demobilized and to rehabilitate and reintegrate them in society taking into account, in particular, the specific needs of girls and other vulnerable groups;

(b) In the light of article 38, paragraph 3, to ensure to give priority to those who are the oldest when recruiting young persons and to limit recruitment by all armed forces and groups

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to persons of 18 years of age or older;

(c) To take all necessary measures, in cooperation with national and international NGOs and United Nations bodies such as UNICEF, to address the physical needs of children victims of the armed conflict, in particular the psychological needs of all children affected directly or indirectly by the traumatic experiences of the war. In this regard, the Committee recommends that the State party develop as quickly as possible a long-term and comprehensive programme of assistance, rehabilitation, reintegration and reconciliation;

(d) 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.

- Myanmar, CRC, CRC/C/140 (2004) 81 at paras. 382, 410 and 411.

382. In light of its previous recommendations (CRC/C/15/Add.69, para. 28), the Committee recommends that the State party:

(a) Expedite the comprehensive review of existing legislation, in particular the Child Law, using a rights-based approach, to ensure that it is in full conformity with the principles and provisions of the Convention;

(b) Repeal the Whipping Act and amend the Citizenship Act and the Village and Town Acts; and

(c) Include the rights of the child in the new State Constitution and expedite the completion of the drafting process.

...

410. The Committee notes that article 22 of the 1993 Child Law refers to access to information, but is concerned that many children, notably those living in remote and border areas, do not have adequate access to appropriate information.

411. In light of article 17, the Committee recommends that the State party take all appropriate measures to ensure that all children, in particular those in remote and border areas, are provided with adequate access to information.

- Dominica, CRC, CRC/C/140 (2004) 101 at paras. 495 and 496.

495. While taking note of the positive measures undertaken by the State party to address the issues related to health services, the Committee remains concerned at the poor availability

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of drinking water and adequate sanitation facilities in certain areas of the country and specifically in the Carib Territory.

496. The Committee recommends that the State party take all necessary measures to ensure access to drinking water and adequate sanitation facilities throughout the country.

- Democratic People's Republic of Korea, CRC, CRC/C/140 (2004) 111 at paras. 514, 524, 525, 532, 533, 538, 539 and 567-570.

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

...

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

...

524. While welcoming the adoption of the Law on Complaints and Petitions in June 1998, the Committee notes with concern that, although there are many institutions that have the ability to receive complaints, this is restricted to complaints on their own mandates. Furthermore, the Committee expresses concern over their lack of independence, their limited accessibility, and that children have little or no knowledge of their existence or their functions.

525. The Committee recommends that the State party improve the existing complaints mechanisms, *inter alia*, by issuing clear guidelines that are understandable and accessible to children, and guaranteeing that filing individual complaints against any particular institution will have no negative consequences for the child. In addition, the Committee strongly recommends the State party to establish an independent and effective mechanism, taking into account the Committee's General Comment No. 2 on national human rights institutions, and in accordance with the Paris Principles (General Assembly resolution 48/134). Such an institution should monitor the implementation of the Convention, be easily accessible for children, be provided with adequate human and financial resources, and have the power to deal with complaints from children in a child-sensitive and expeditious manner and to provide remedies for violations of their rights under the Convention.

...

532. The Committee notes that the State party's cooperation with United Nations bodies and specialized agencies and international NGOs have significantly contributed to the implementation of the rights of children, but is concerned that a large proportion of children are still in need of humanitarian assistance, which indicates the necessity for the State party to strengthen its international cooperation.

533. The Committee recommends that the State party strengthen its cooperation with United

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Nations bodies and specialized agencies and the international donor community in the area of policy planning, and to provide them with full access to all vulnerable groups, in particular children, and to areas which require special attention and share information on policies and financial expenditures in the social sector.

...

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

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

...

567. The Committee is concerned that, according to the current legislation, the minimum age for voluntary enlistment in the armed forces is set at 16 years and that, according to information it provided to the Committee on Economic, Cultural and Social Rights (HR/CESCR/NONE/2003/1), children attending school follow military camps during summer holidays, where "they learn how to dismantle and assemble weapons".

568. The Committee recommends that the State party take all necessary measures to ensure that article 38, paragraph 3, of the Convention is respected and to ensure that recruitment is genuinely voluntary when recruiting children between 16 and 18, and that priority will be given to the oldest applicants. The Committee also recommends the State party to ratify the Protocol to the Convention...and increase by law the age for recruitment and voluntary enlistment to 18 years. Furthermore, the Committee recommends that the State party take all necessary measures to avoid the early militarization of children.

569. The Committee is concerned that, according to the State party information, there are some children from the Democratic People's Republic of Korea that cross the borders and apparently live on the streets of some Chinese cities close to the border which they cross. The Committee is deeply concerned at the information that children and their families who return or are deported back to the State party are considered not as victims, but as perpetrators of a crime.

570. The Committee recommends that the State party:

(a) Assess and analyse the causes of children crossing the borders to other countries;

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- (b) Treat the children who return to the State party as victims and not as perpetrators of a crime;
 - (c) Negotiate their safe repatriation with the Chinese authorities; and
 - (d) Provide them with the necessary support for reintegration and counselling.
- France, CRC, CRC/C/140 (2004) 124 at paras. 597, 598, 606, 607, 625, 626, 639 and 640.

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

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

...

606. The Committee is concerned at the absence of appropriate laws or guidelines relating to the sale or accessibility of CD-ROMs, video cassettes and games, and pornographic publications facilitating access of a child to information and materials which may be injurious to her or his well-being.

607. The Committee recommends that the State party take necessary measures, including legal ones, to protect children from harmful effects of violence and pornography, in particular, in printed, electronic and audiovisual media.

...

625. The Committee, while noting that the primary responsibility of securing the necessary living conditions for the child lies with the parents, shares the concerns of the Committee on Economic, Social and Cultural Rights at the increasing levels of poverty (E/C.12/1/Add.72). The Committee is concerned that such a situation adversely affects the physical, mental, spiritual, moral and social development of children. The Committee is also concerned at the existence of restrictions in access to family allocations of certain groups of children.

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626. The Committee encourages the State party to take measures to assist parents and others responsible for children by strengthening efforts to improve the standard of living of all children and providing material assistance and support programmes in accordance with article 27 of the Convention. Allocations to families should not be subject to the modalities of entry of the child onto the territory of France.

639. The Committee welcomes information provided in the State party's report that all children in France are equal before the law and have a right to freedom of religion, expression in their own language in private affairs and right to cultural activities. However, the Committee remains concerned that equality before the law may not be sufficient to ensure equal enjoyment of rights by certain minority groups, such as the Roma, among others, who may face *de facto* discrimination. The Committee regrets that the State party has not considered reviewing its position and withdrawing its reservation to article 30 of the Convention.

640. The Committee encourages the State party to continue measures to prevent and combat racism, xenophobia, discrimination and intolerance, by, *inter alia*, ensuring follow-up to the recommendations of the United Nations treaty bodies and the European Commission against Racism and Intolerance (ECRI), in particular as concerns children. The Committee urges the State party to review its position with respect to children belonging to minority groups and to consider withdrawing its reservation to article 30.

- Brazil, CRC, CRC/C/143 (2004) 10 at paras. 29, 37-39, 50, 51, 59, 60, 75, 76, 81, 82, 89, 90 and 96-98.

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

...

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

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

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

...

50. While appreciating the efforts made by the State party to raise awareness of the Statute of the Child and Adolescent, the Committee is of the opinion that these measures need to be strengthened, especially in terms of the dissemination of the Convention. The Committee is also concerned at the lack of a systematic plan to continue training and raising awareness among professional groups working for and with children.

51. In the light of article 42 of the Convention, the Committee encourages the State party to:

(a) Continue to strengthen its programme for the dissemination of the information on the Convention and its implementation among children and parents, civil society and all sectors and levels of Government;

(b) Provide adequate and systematic training and/or sensitization on children's rights for all persons working with and for children, such as parliamentarians, judges, lawyers, law enforcement and health personnel, teachers, school administrators, social workers and especially children themselves;

(c) Implement the recommendations made by the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the question of torture, the Special Rapporteur on the sale of children, child prostitution and child pornography, related to provisions of training.

...

59. While the Committee notes that the right to life, survival and development is integrated into domestic legislation, it remains extremely concerned at the number of children murdered, as reported by the Special Rapporteur on extrajudicial, summary or arbitrary executions in Brazil in her 2004 report, which stated that the perpetrators of those crimes are mainly military policemen or former policemen (E/CN.4/2004/7/Add.3).

60. The Committee urges the State party to take, as a matter of the highest priority, all necessary measures to prevent the killing of children, to fully investigate each of those serious violations of children's rights, to bring the perpetrators to justice and to provide the family of the victims with adequate support and compensation.

...

75. The Committee notes that the 1988 federal Constitution establishes protection for the

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

76. The Committee recommends that the State party:

- (a) Establish an appropriate definition of disability and, on the basis of the definition, make a reassessment of the number of persons with disability, in order to formulate a comprehensive policy for children with disabilities;
- (b) Take measures to eliminate physical and architectural barriers to the access and use of persons with disability to public buildings, transport, etc.;
- (c) Take effective measures to collect adequate and disaggregated statistical data on children with disabilities and use such data in developing policies and programmes to prevent disabilities and to assist children with disabilities;
- (d) Reinforce its efforts to develop early-detection programmes to prevent and remedy disabilities;
- (e) Establish special education programmes for disabled children and include them in the regular school system to the extent possible;
- (f) Undertake awareness-raising campaigns to sensitize the public, and parents in particular, about the rights and special needs of children with disabilities, including those with mental health concerns;
- (g) Increase resources, both financial and human for special education, including vocational training, and the support given to families or children with disabilities;
- (h) Take into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendation adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339);
- (i) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, UNICEF and WHO.

...

81. While taking into account the high priority given by the State party in implementing policies and programmes with a view to fighting hunger and poverty, the Committee notes

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that Brazil is a country with a relatively high level of development, and shares the concerns of the Committee on Economic, Social and Cultural Rights related to the persistent and extreme inequalities and imbalances in the distribution of wealth and resources (E/C.12/1/Add.87, para. 17). The Committee is concerned that the lives of a great number of children are marked by poverty, difficult access to, and deficient quality of, public services.

82. The Committee highly recommends that the State party:

(a) Continue to strengthen its policies and programmes to combat the factors responsible for the increasing number of children living in extreme poverty;

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

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

...

89. The Committee expresses its grave concern at the significant number of street children and the vulnerability of these children to extrajudicial killings, various forms of violence, including torture, sexual abuse and exploitation, and at the lack of a systematic and comprehensive strategy to address the situation and protect these children, and the very poor registration of missing children by the police.

90. The Committee recommends that the State party:

(a) Develop a comprehensive strategy to address the high number of street children, with the aim of reducing and preventing this phenomenon;

(b) Ensure that street children are provided with adequate nutrition and shelter as well as with health care and educational opportunities in order to support their full development, and provide them with adequate protection and assistance.

...

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

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97. The Committee urges the State party to pursue measures to effectively address the gap in life opportunities of indigenous children. Training and awareness-raising activities should be provided to break social prejudice, in order to revert the historical logic of colonization, which jeopardizes any chance of attaining genuinely equal treatment.

98. The Committee also recommends that the State party take adequate measures in order to provide protection for the rights of indigenous children, in particular their rights to preserve historical and cultural identity, customs, traditions and languages in accordance with the Constitution, and taking into account the recommendations adopted by the Committee on its day of general discussion on the rights of indigenous children in September 2003.

- Botswana, CRC, CRC/C/143 (2004) 25 at paras. 147 and 148.

147. While welcoming the formulation of a national policy on the care of people with disabilities, the Committee is concerned that children with disabilities are still discriminated against and often considered “an embarrassment” by their parents, are not adequately integrated in the society or in the mainstream school system and do not have adequate access to social services, including health care, especially those living in remote areas.

148. In the light of the Standards Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of the children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party continue to strengthen its efforts to combat discriminatory attitudes towards children with disabilities, particularly amongst children and parents, and promote their participation in all aspects of social and cultural life. The State party should also ensure that all children with disabilities have access to health care facilities and education and, wherever possible, they are integrated into the mainstream education system.

- Croatia, CRC, CRC/C/143 (2004) 36 at paras. 188-190, 200-203, 212, 213, 222, 223, 231, 232, 237 and 238.

188. The Committee acknowledges the various efforts undertaken by the State party to follow up its previous recommendations but remains concerned at the *de facto* discrimination against ethnic and national minorities and Roma and foreign children, and at incidents of harassment and expressions of hatred, which have a negative effect on the development of children. The Committee joins the Committee on the Elimination of Racial Discrimination in its concern as it relates to the lack of legal provisions prohibiting incitement to racial discrimination and violence, and about the adequacy of efforts to investigate and prosecute

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persons responsible for fomenting ethnic hatred (see CERD/C/60/CO/4, para. 12).

189. The Committee reiterates its recommendation that the State party should take measures aimed at developing a culture of tolerance in the society at large through all possible channels, including the schools, the media and the law.

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

...

200. The Committee joins the State party in its concern about violations of the right to privacy of children by the media but is concerned at the lack of information on the implementation in practice of the rights of the child contained in articles 13-17 of the Convention, in particular in the family, social institutions, schools and places of detention.

201. The Committee recommends that the State party take the necessary measures to ensure that the media fully respect the right to privacy of children...

202. While noting the State party's efforts to protect children from harmful information, the Committee remains concerned about pornographic and other harmful material in printed and electronic media that is easily available and accessible to children. It is also concerned at the lack of adequate measures to encourage the mass media to disseminate information that would promote a spirit of understanding of differences.

203. The Committee recommends that the State party pursue its efforts to protect children from information and material injurious to their well-being. It also urges the State party to disseminate information and material of social and cultural benefit to the child, in line and with the spirit of articles 17 and 29 of the Convention. To that end, the State party should provide children with access to diversity of cultural, national and international sources, taking into particular account the linguistic and other needs of children who belong to a minority group.

...

212. The Committee notes with satisfaction that the State party has ratified the Hague Convention on the Civil Aspects of International Child Abduction of 1980 but remains concerned that problems persist in the implementation of this Convention.

213. The Committee recommends that the State party apply the Hague Convention to all children abducted to Croatia and encourage other States that are not yet a party to the Hague Convention to ratify or accede to this treaty and, if necessary, conclude bilateral agreements

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to deal adequately with international child abduction. It further recommends that professionals dealing with this kind of case receive adequate and ongoing training and that maximum assistance be provided through diplomatic and consular channels, in order to solve cases of illicit transfer.

...

222. The Committee notes the measures undertaken by the State party to increase economic growth, but remains concerned at the widespread prevalence of poverty in Croatian society, which affect in particular families with more than one child, families headed by women and minority families, including Roma families and families of foreign origin, and in areas that were affected by armed conflict.

223. The Committee, in line with its previous recommendations ([CRC/C/15/Add.52,] para. 31) recommends that the State party:

(a) Take all necessary measures to the “maximum extent of...available resources” to accelerate the elimination of child poverty, notably to eliminate the disparities between the different regions of the country;

(b) Continue to provide material assistance and support to economically disadvantaged families, notably Roma families and families of foreign origin, in order to guarantee the right of children to an adequate standard of living;

(c) To include in the poverty reduction strategy specific programmes addressing the particular difficulties faced by poor children.

...

231. The Committee welcomes the State party's ratification of the Optional Protocol on the involvement of children in armed conflict in 2002 and notes the efforts undertaken by the State party to provide psychological and social assistance for children who have been affected by armed conflict. However, it remains concerned about the lack of systematic research on the situation of children affected by armed conflict, including follow-up monitoring measures. The Committee is also concerned about the lack of compensation provisions for those children.

232. The Committee recommends that the State party:

(a) Undertake a comprehensive study on children affected by armed conflict in order to assess the extent and scope and the population affected by the problem and identify the consequences and the recovery and remedial measures needed;

(b) Strengthen awareness-raising campaigns with the involvement of children;

(c) Evaluate the work of existing structures and provide training to the professionals

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involved in the programmes;

(d) Extend psychological and social assistance for the children who have been affected by armed conflict;

(e) Take effective measures to ensure that the affected children receive adequate compensation.

...

237. The Committee notes the measures undertaken by the State party to improve domestic legislation with regard to minority rights, e.g. the Constitutional Law on the Rights of National Minorities, but remains concerned that these legal instruments are not effectively implemented. It is also concerned about continuing problems of ethnic discrimination and intolerance, particularly concerning the Roma and other minority groups, e.g. Serbs and Bosniaks.

238. The Committee reiterates its recommendation that the State party should take effective measures to encourage the protection of the rights of children belonging to minority groups and eliminate the impunity enjoyed by those who harass these groups. It also recommends that the State party undertake special measures to stimulate a process of reconciliation and confidence-building, including wide-ranging educational and awareness-raising campaigns.

- Kyrgyzstan, CRC, CRC/C/143 (2004) 50 at paras. 267, 268, 272, 273, 296 and 297.

267. The Committee is concerned that societal discrimination persists against vulnerable groups of children, including children with disabilities, those living in institutions or in poverty, migrants and asylum-seekers with no formal residence permits. The Committee is also concerned at the increasing discrimination against the girl child, in particular girls living in rural areas, due to re-emerging trends such as bridal kidnappings and forced marriages.

268. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups. The Committee urges the State party to pay particular attention to the situation of the girl child, in particular girls living in rural areas, in order to halt the practices of forced marriage and bridal kidnapping, which prevent the girl child from fully enjoying the rights enshrined in the Convention.

....

272. While acknowledging the existence of bilateral negotiations to address the issue, the Committee is concerned at reports of children being injured as a consequence of landmines on the borders of the State party.

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273. The Committee urges the State party to continue its efforts to achieve a bilateral agreement for the demining and demarcation of the border areas, including the ratification and full implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of 1997. The State party should seek international assistance from the United Nations and other competent bodies in this regard.

...

296. The Committee notes with concern the general deterioration of children's access to quality leisure facilities, such as sports centres and cultural institutions, and to public libraries.

297. The Committee recommends that the State party give priority to improving children's access to, and the quality of sports centres, cultural institutions and other leisure facilities.

- Equatorial Guinea, CRC, CRC/C/143 (2004) 64 at paras. 316, 317, 343, 344, 363 and 364.

316. The Committee notes the efforts undertaken by the State party to examine the compatibility of the domestic legislation with the Convention and that the Constitution and some laws have been adopted to harmonize the existing legislation with the Convention and other international human rights standards. It also welcomes the information that a new Family Code is being prepared in a consultative process. However, the Committee is concerned about the effective implementation of the existing laws and that in some cases newly enacted legislation does not fully reflect the principles and provisions of the Convention or other international human rights standards. It also raises concern about the fact that some customary laws are incompatible with the principles and provisions of the Convention. The Committee is particularly concerned about the application on a subsidiary basis of a number of Spanish laws dating back to the period before independence.

317. The Committee recommends that the State party continue and complete its efforts to draft a new Family Code and ensure that the new Code as well as the other laws are in full conformity with the principles and provisions of the Convention and other international human rights standards, and that national laws prevail over conflicting customary laws. The Committee also recommends that the State party ensure the effective implementation, dissemination and publication of the new laws and amendments to existing ones. It further recommends that the State party repeal or amend all provisions of Spanish law that are incompatible with the Convention.

...

343. The Committee is concerned at the information that freedom of expression and opinion is limited in the State party as well as at the lack of libraries, and about the limited information it received concerning the practical implementation of articles 13-17 of the Convention.

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344. The Committee recommends that the State party continue and strengthen the promotion of freedom of expression in schools and other places, *inter alia* by means of student publications and other means. It also recommends that the State party increase the number and quality of libraries and consider the establishment of mobile libraries freely accessible for children, and that it provide the Committee with more concrete and detailed information on the implementation of articles 13-17 of the Convention in its next report.

...

363. Given the significant growth rate of the gross domestic product in the State party, the Committee is deeply concerned about the persistence of widespread poverty and the still large number of children who do not enjoy the right to an adequate standard of living, including adequate housing and other basic services.

364. In accordance with article 27 of the Convention, the Committee recommends that the State party develop and implement, as a matter of high priority, an effective national plan for the reduction of poverty, including the provision of support and material assistance to economically disadvantaged families, and guarantee the right of the child to an adequate standard of living. The Committee also recommends that the State party seek international cooperation and assistance whenever necessary.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 398, 399, 407, 408, 427, 428, 433, 434 and 437-440.

398. The Committee is concerned at the discrimination faced by children with disabilities, girls, and children belonging to the San communities in the State party.

399. The Committee recommends that the State party take the necessary legislative measures to explicitly prohibit all forms of discrimination, in accordance with article 2 of the Convention. In this regard, it encourages the State party to include “disability” as a legally unacceptable ground for discrimination in the new constitution currently under consideration. The Committee also recommends that the State party undertake the necessary actions, including awareness-raising and educational campaigns, to reduce and prevent discrimination in practice, particularly against girls.

...

407. The Committee expresses its deep concern at the re-emergence of the persecution of children accused of witchcraft and the very negative consequences of such accusations, including cruel, inhuman and degrading treatment, and even murder.

408. The Committee urges the State party to take immediate action to eliminate the mistreatment of children accused of witchcraft, including by prosecuting the perpetrators of this mistreatment and intensive education campaigns that involve local leaders.

...

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427. The Committee expresses its concern at the high and increasing number of children living in poverty and extreme poverty in the State party, especially in rural areas. It notes with particular concern the very poor living conditions of many internally displaced children and children living in so-called informal settlements.

428. The Committee recommends that the State party strengthen its efforts to provide acceptable living conditions for children and their families, in particular in view of the child's right to protection, health and education. Such efforts should include target measures to improve the living conditions of those children and families most in need.

...

433. The Committee notes with concern children's general lack of access to leisure and cultural facilities.

434. The Committee recommends that the State party give priority to improving children's access to, and the quality of, sports facilities, cultural institutions and other leisure facilities.

...

437. While welcoming the actions undertaken for the disarmament, demobilization and reintegration of combatants, the Committee is deeply concerned that inadequate attention is given to the plight of former child soldiers, in particular girls. The Committee is also concerned about the situation of children in the enclave of Cabinda, which is still affected by violent conflict.

438. The Committee recommends that the State party ensure that special attention is given to former child soldiers and children, in particular girls, who were domestic workers, porters, etc. All children who participated in military groups should be eligible for rehabilitation programmes. These programmes should include psychosocial rehabilitation and programmes for community integration. Furthermore, the State party should take all necessary measures to provide adequate protection for children in the enclave of Cabinda.

439. The Committee notes with deep concern the large number of landmines which remain spread out across the country, causing many deaths and injuries every year and posing a threat to the life, survival and development of children in the State party.

440. The Committee recommends that the State party take all necessary measures to protect children against landmines, including by continuing and strengthening its mine clearance programmes and programmes for mine awareness and physical rehabilitation of child victims.

- Antigua and Barbuda, CRC, CRC/C/143 (2004) 93 at paras. 501, 502, 507 and 508.

501. While noting the existence of the State-run special programme, institutions and special

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units for children with disabilities and the "Early Intervention Programme" instituted in 1990, and the information that making public buildings accessible for persons with disabilities is under consideration, the Committee remains concerned at the lack of:

- (a) A comprehensive government policy for children with disabilities;
- (b) Legislation specifically addressing the rights of disabled children and adults;
- (c) Quality in the delivery and management of services for children with disabilities; and
- (d) Full integration of children with disabilities into the regular schooling system.

502. The Committee recommends that the State party:

- (a) Establish a comprehensive policy for children with disabilities;
- (b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities, and allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;
- (c) In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia* by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;
- (d) Ensure the accessibility not only of public buildings but also of the transport system for children with disabilities; and
- (e) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, UNICEF and WHO.

...

507. In view of the increasing number of children living in poverty, the Committee notes with regret the scarcity of information concerning the right of the child to benefit from social security, and expresses concern at the lack of a comprehensive legislative and regulatory social security system that is in full compliance with article 26 of the Convention.

508. The Committee therefore recommends that the State party make efforts to revise and/or

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establish a social security policy along with a clear and coherent family policy within the framework of its poverty reduction strategy, as well as effective strategies for using social safety net benefits to further the rights of children.

- Sweden, CRC, CRC/C/146 (2005) 8 at paras. 40, 41, 49, 50, 59 and 60.

40. The Committee notes with appreciation the State party's outstanding performance in the area of international cooperation and development assistance. In this regard, the Committee notes that the State party allocates a significant percentage of its gross domestic product to foreign aid, of which 60 per cent is spent on children or professionals and others who work with, for or on behalf of children or safeguard their interests.

41. The Committee recommends that the State party continue and strengthen its leading role in international development cooperation projects relating to children, *inter alia*, by taking into account in its bilateral cooperation with developing countries the concluding observations and recommendations made by the Committee regarding those countries and provide support for their implementation.

...

49. The Committee is concerned about the degree of violence accessible to children on the Internet and shown on television early in the evenings. The Committee is further concerned about the insufficient protection of children against child pornography and violent computer games.

50. The Committee recommends that the State party take all necessary measures, including by enforcing appropriate legislation, providing parental education and awareness-raising of children, to effectively protect children against violence on the Internet, television and computer games, and against the display of child pornography and encourage international cooperation in this respect.

...

59. The Committee welcomes the efforts taken to eradicate bullying, such as the incorporation into the Education Act (*Skollagen - 1985:1100*) and into the national curriculum of rules on action to counter bullying, as well as the 2001-2002 campaign against bullying, entitled "Together" (*Tillsammans*). However, the Committee notes that the rules still have to be fully implemented and that bullying against children with disabilities and of foreign origin continues to be a concern.

60. The Committee recommends that the State party, in its efforts to prevent and combat bullying, pay special attention to children with disabilities and of foreign origins, and that the rules for countering bullying are fully implemented in all schools and other institutions with the involvement of children.

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- Albania, CRC, CRC/C/146 (2005) 19 at paras. 81, 82, 103, 104, 107, 108, 133, 134, 141, 142, 147 and 148.

81. The Committee welcomes the process of legislative reform related to human rights in general and more specifically to the rights of the child. Nevertheless, the Committee is concerned at the difficulties the State party is encountering in dealing with customary law and traditional codes (*Kanun*) in its efforts to ensure implementation of the relevant legislation.

82. The Committee urges the State party to continue relevant legal reform, as well as to take all necessary measures to ensure implementation of all legislation relevant to the Convention in all parts of the country, taking into account the need for judicial reform and capacity-building, including training needs, monitoring mechanisms and the provision of adequate resources for these.

...

103. The Committee welcomes the information provided in the State party's report relating to legislation that protect the right to life of all persons. However, the Committee is deeply concerned at the practice of vendetta and revenge, which has re-emerged during the 1990s, as well as at the reported occurrence of honour killings (blood feuds). The Committee is concerned that efforts undertaken to counter such occurrences in practice have not helped to eradicate these phenomena.

104. The Committee urges the State party to strengthen measures to counter the practices of revenge killings as well as others having a destructive impact on the development of the child.

...

107. The Committee welcomes the existence of a helpline for children where they can receive support or express concerns or complaints. But the Committee is concerned at the very limited human and financial resources for this helpline.

108. The Committee recommends that the State party give full support to the efforts to further develop this helpline, *inter alia*, through the establishment of a national toll-free number accessible 24 hours a day. It is further recommended that support be given to the helpline so that it can provide, or mobilize among existing services, counselling, rescue and intervention when necessary.

...

133. The Committee notes the efforts that the State party is making to improve the living standards of families in poverty and of children in institutional care, orphans or other children with special needs. However, the Committee is concerned that a large number of children live in poverty, or in extreme poverty, and that many children do not receive child support maintenance following divorce of their parents, or as the case may be, the amount is largely insufficient.

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134. The Committee encourages the State party to pursue measures to assist parents and others responsible for children by strengthening efforts to improve the standard of living of all children and providing material assistance and support programmes in accordance with article 27 of the Convention. Economic growth should be used to improve the living conditions of families. In addition, the State party is encouraged to consider ratifying the Hague Conventions No. 23 on the Recognition and Enforcement of Decisions relating to Maintenance Obligations and No. 24 on the Law Applicable to Maintenance Obligations.

...

141. The Committee notes that the departure of children from Albania to neighbouring countries is a significant problem, and that approximately 4,000 children have left the country unaccompanied by their parents.

142. The Committee recommends that the State party strengthen its efforts in this area, in particular:

(a) To determine and address the causes of such large-scale departure of unaccompanied children and introduce safeguards to reduce the phenomenon, in particular if such children are victims of illegal networks;

(b) To ensure a coordinated approach to the collection of information and statistics, allowing a response commensurate to the needs;

(c) To strengthen cooperation and accelerate conclusion of agreements with neighbouring countries in order to ensure respect for the rights of these children, as well as their protection and education.

...

147. The Committee is very concerned that street children represent the most unprotected category of children in Albania and regrets the lack of information in the State party's report in this respect.

148. The Committee recommends that the State party:

(a) Undertake a study to consider elaborating a comprehensive strategy to address the increasing number of street children with the aim of preventing and reducing this phenomenon in the best interests of these children and with their participation;

(b) Make additional efforts to provide protection to children living on the street and to ensure their access to education and health services;

(c) Strengthen the support and assistance available to families, both as a preventive measure and a measure conducive to the return of children to their families or other settings, as appropriate.

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- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 159, 164, 174, 176, 178, 179, 186, 187, 198, 199.

159. The Committee notes with appreciation:

...

(d) The following legislative measures:

(i) Act of 24 April 2000 introducing the crime of torture in the Criminal Code;

(ii) Act of 18 March 2000, establishing a regime of temporary protection for asylum-seekers;

...

(iv) Act of 1 August 2001 on the protection of pregnant workers and workers who have recently given birth or are breastfeeding;

(v) Act of 31 May 1999 introducing, *inter alia*, a new article 384 of the Criminal Code expressly punishing child pornography and providing for the confiscation of all related items;

(e) The appointment of five intercultural mediators from countries of origin of children of asylum-seekers, with the role of facilitating contact between teachers, families and children.

...

164. The Committee notes with concern that the State party has not withdrawn its reservations to articles 2, 6, 7 and 15 of the Convention.

165. The Committee is of the opinion that the reservations regarding articles 2, 6 and 15 are unnecessary and that the reservation to article 7 seems incompatible with the object and purpose of the Convention, but can become unnecessary as well, if the State party implements the Committee's recommendation contained in paragraph 185 below. Accordingly, the Committee reiterates its previous recommendation to the State party (CRC/C/15/Add.92, para. 23) to consider reviewing its reservations with a view to their withdrawal.

...

174. While taking note with appreciation of the various programmes aimed at combating discrimination, including the appointment of intercultural mediators from the countries of origin of children of asylum-seekers, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to vulnerable groups, such as children with disabilities and refugee and asylum-seeking children.

176. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full

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compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

178. The Committee welcomes the information that the State party intends to eliminate from its legislation any description of children born out of wedlock, which may have a negative or discriminatory connotation.

179. The Committee encourages the State party to carry out this modification as soon as possible.

...

186. While the Committee appreciates the measures taken by the State party to prevent and combat child pornography on the Internet, as well as the introduction of article 384 of the Criminal Code punishing the possession of pornographic material involving children, it remains concerned about the exposure of children to violence, racism and pornography, especially through the Internet.

187. The Committee recommends that the State party continue to take all appropriate measures to effectively protect children from being exposed to violence, racism and pornography through mobile technology, video movies, games and other technologies, including the Internet. The Committee further suggests that the State party develop programmes and strategies to use mobile technology, video advertisements and the Internet as a means for raising awareness among both children and parents of information and material injurious to the well-being of children.

...

198. The Committee is deeply concerned about the very high number of deaths among children resulting from traffic accidents despite the measures taken by the State party.

199. The Committee recommends that the State party strengthen as much as possible its efforts to reduce the number of casualties among children caused by traffic accidents, *inter alia*, by raising awareness through educational campaigns.

- Austria, CRC, CRC/C/146 (2005) 47 at paras. 242, 243, 249, 250, 253-256 and 265-268.

242. The Committee notes the positive efforts made by the State party to address racial discrimination, which have also been recognized by the Committee on the Elimination of Racial Discrimination in its concluding observations (CERD/C/60/CO/1). However, the Committee is concerned at the discriminatory attitudes and manifestations of neo-Nazism, racism, xenophobia and related intolerance towards migrant communities and those of certain ethnic backgrounds, and at their impact on children belonging to these groups, as well as towards refugee and asylum-seeking children.

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

...

249. The Committee notes with appreciation the activities of the child helpline “Rat auf Draht” and the support provided in that regard by the Government. However, the Committee is concerned that more structural support is needed for the further development and effective operation of this helpline.

250. The Committee recommends that the State party continue and increase its support for the child helpline in such a structural manner as to ensure that this important instrument enabling children to express their concerns and views and to seek help and advice can operate in the most effective way.

...

253. While welcoming the State party's efforts to protect children from harmful media influence, the Committee shares the concern of the State party that the existing legal instruments for the limitation of the dissemination of racist, violent and violence-inducing images, texts and games through the Internet and mass media as well as video computer games need to be reviewed and extended.

254. The Committee recommends that the State party continue and strengthen its efforts to protect children from harmful information. It further recommends that the State party provide parental education and raise the awareness of children to effectively protect children against violence on the Internet, television and computer games and encourage international cooperation in this respect.

255. The Committee is concerned at the information from children and adolescents that their right to privacy, for example, with regard to personal correspondence, is not fully respected in everyday life.

256. The Committee recommends that the State party take the necessary measures, such as awareness-raising and educational campaigns, to improve the understanding of and respect for the child's right to privacy among parents and other professionals working for and with children.

...

265. While welcoming the legal measures to prohibit and prosecute cases of female genital mutilation, the Committee is concerned that this practice involving girls and young women in the context of immigrant communities still occurs in Austria and abroad where certain children are taken to perform the procedure and brought back.

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266. The Committee recommends that the State party strengthen its efforts to prevent and eliminate this practice by conducting well-targeted and appropriate educational campaigns in the context of religious communities and by considering the possibility of making punishable by law the acts of those involved in the performance of female genital mutilation outside Austria.

267. The Committee notes with appreciation the various measures adopted by the State party to combat poverty, including the adoption of family-related benefits and an increase in child allowances to help families with children. However, the Committee remains concerned at the high rate of poverty, mainly affecting single-parent families, large families and families of foreign origin.

268. The Committee recommends that the State party take all necessary measures to further reduce and eliminate family poverty, which affects children. It also recommends that the State party continue to provide well-coordinated financial assistance to provide support to economically disadvantaged families, in particular single-parent families and families of foreign origin, so as to guarantee the right of a child to an adequate standard of living. In this regard, efforts should be increased to support, in particular, single mothers re-entering the labour market and to extend good quality and affordable child day-care facilities.

- Austria, CRC (Optional Protocol - Armed Conflict), CRC/C/146 (2005) 57 at para. 284.

284. The Committee welcomes the State party's international and bilateral technical cooperation activities and financial assistance aimed at preventing the involvement of children in armed conflicts and assisting recovery of child victims of armed conflicts and the rehabilitation and recovery of child combatants.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 342, 343, 350, 351, 355, 356, 364 and 365.

342. The Committee expresses grave concern about the situation of children with disabilities and regrets that *de facto* discrimination against them still exists. The Committee notes with concern the lack of specific legislation which would ensure full and equal participation in social life, including access to social and health services, education, training, information and communication, rehabilitation, recreation and care, for children with disabilities. The Committee is concerned about the lack of basic services supporting children with disabilities and of adequate financial and human resources partially caused by the closing of the Disability Services Division, resulting in a situation in which the non-governmental organization CARE-Belize can only provide very limited services for children with disabilities. Furthermore, the Committee expresses its concern about the lack of statistical data on children with disabilities.

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343. The Committee urges the State party, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993, annex) and the recommendations adopted by the Committee at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69, paras. 310-339):

- (a) To enact special legislation dealing exclusively with disability issues, including access to social and health services, rehabilitation, support services, physical environment, information and communication, education, recreation and sports, in order to achieve the objectives of full participation and equality for children with disabilities;
- (b) To initiate and plan a comprehensive national policy for children with disabilities and to allocate the necessary financial and human resources to implement the plan;
- (c) To consider the establishment of a national focal point on disability issues to strengthen coordination between governmental and non-governmental actors;
- (d) To integrate education for children with disabilities into national educational planning and curriculum and to include children with disabilities in the mainstream school system to the extent possible, including by providing the necessary financial and human resources for the training of teachers;
- (e) To disseminate information concerning the rights and potential of children with disabilities and to raise public awareness of disability;
- (f) To collect adequate statistical data on children with disabilities, allowing for disaggregated analysis of the problems facing children with disabilities;
- (g) To seek international assistance from, among others, UNICEF and WHO in this respect.

...

350. The Committee is concerned at the persistent high rate of children living in poverty, especially in rural areas. It notes the development and implementation of the National Poverty Reduction Strategy. The Committee also notes with appreciation the State party's efforts to facilitate access to nutrition, including through implementing a Food and Nutrition Security Policy for Belize and the feeding programmes of primary schools.

351. The Committee recommends that the State party take all necessary measures to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. The Committee also recommends that the State party evaluate the impact of the Poverty Reduction Strategy on children and adolescents. The Committee further recommends that the State party increase its efforts to develop and implement the Food and Nutrition Security Policy for Belize and continue to

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implement the feeding programmes in primary schools.

...

355. While acknowledging that some improvements have been achieved, the Committee shares the State party's concern at the insufficient number of cultural and recreational activities and facilities for children.

356. In the light of the recommendations adopted by the Committee at its day of general discussion on "Implementing child rights in early childhood" (see CRC/C/143, paras. 532-563), the Committee recommends that the State party increase its efforts to promote and protect the right of the child to rest, leisure and cultural and recreational activities...

...

364. With regard to children belonging to minorities and indigenous peoples, such as Maya and Garifuna children, the Committee is concerned about the widespread poverty among them and the limited enjoyment of their rights, particularly concerning their access to social and health services and education. The Committee notes with concern that it is generally difficult for girls belonging to minorities and indigenous peoples to be heard in society and that their right to participate and to be heard in proceedings affecting them is often limited.

365. The Committee recommends that the State party strengthen its efforts to improve the equal enjoyment of all rights of children belonging to minorities and indigenous peoples, in particular, by prioritizing effective measures to reduce poverty among them. The Committee also recommends that the State party take measures to promote respect for the views of children, especially girls, belonging to minorities and indigenous peoples and facilitate their participation in all matters affecting them.

- Bahamas, CRC, CRC/C/146 (2005) 77 at paras. 373, 374, 380, 381, 398, 399, 415 and 416.

373. The Committee welcomes the adoption of the Status of Children Act in 2002 which, *inter alia*, abolished the distinction between children born in wedlock and children born out of wedlock, particularly in relation to intestacy.

374. The Committee also notes with appreciation the adoption of the Inheritance Act in 2002, which makes provision for all children to have equal rights or entitlement in circumstances where property is distributed on intestacy.

...

380. The Committee notes with appreciation the efforts undertaken by the State party to harmonize its legislation with regard to children and the reform of the Constitution currently under way which intends, *inter alia*, to include children's rights in the Constitution. However, the Committee is concerned that the existing legislation in the State party does not fully reflect the principles and provisions of the Convention.

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381. The Committee recommends that the State party expedite its action to include children's rights in the Constitution and take further measures to ensure that the existing legislation conforms fully with the principles and provisions of the Convention, and to ensure its effective implementation.

...

398. The Committee is concerned that societal discrimination persists against vulnerable groups of children, including children living in poverty, Haitian immigrant children and children with disabilities and that the Constitution does not prohibit discrimination on the grounds of disability.

399. The Committee recommends that the State party:

(a) Strengthen, in the current process of reforming the Constitution, the existing provisions on non-discrimination and ensure observance of the principle of non-discrimination in full compliance with article 2 of the Convention;

(b) Adopt further appropriate legislation (e.g. a separate law on non-discrimination);

(c) Adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.

...

415. The Committee takes note of the 2000 Census Report, which provides mainly quantitative information but lacks specific details on persons with disabilities. The Committee is concerned at the societal discrimination experienced by children with disabilities, the inaccessibility of buildings and transportation for them and the absence of an inclusive policy. The Committee is particularly concerned that children with disabilities in less populated islands suffer particular disadvantage regarding access to services.

416. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party ensure the integration of these children into mainstream education. In this respect, the State party should take into account the principle of non-discrimination and accessibility to all services, including public buildings and transportation, and specifically address the situation of children in less populated islands.

- Islamic Republic of Iran, CRC, CRC/C/146 (2005) 88 at paras. 441, 442, 466, 467, 478, 479, 499 and 500.

441. The Committee deeply regrets that no review has been undertaken of the broad and imprecise nature of the State party's reservation since the submission of the initial report.

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It reiterates its concern that the nature of the general reservation potentially negates many provisions of the Convention and raises concern as to its compatibility with the object and purpose of the Convention.

442. In the light of article 51, paragraph 2, of the Convention, the Committee reiterates its previous recommendation that the State party review the general nature of its reservation with a view to withdrawing it, or narrowing it, in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights of 1993.

...

466. The Committee reiterates its serious concern at article 220 of the Penal Code, which provides that fathers who kill their child, or their son's child, are only required to pay one third of the blood money to the mother, and are subjected to a discretionary punishment, in the event that the mother makes a formal complaint.

467. The Committee recommends that the State party take the necessary measures, including the amendment of the offending article of the Penal Code, to ensure that there is no discriminatory treatment for such crimes and that prompt and thorough investigations and prosecutions are carried out.

...

478. The Committee is concerned that access to information and material from a diversity of national and international sources is very limited for persons under 18 years of age in the State party.

479. The Committee recommends that the State party take appropriate measures to allow access to appropriate information from a diversity of sources, especially those aimed at the promotion of the child's social, spiritual and moral well-being and physical and mental health.

...

499. The Committee continues to be concerned about the large number of children living and/or working in the streets, particularly in urban centres such as Tehran, Isfahan, Mashhad, and Shiraz. It regrets that the State party could not present studies on the extent and nature of the problem and is concerned that the centres known as "Khaneh Sabz", "Khaneh Shoush" and "Khaneh Reyhane" homes, which were established to assist these children, albeit in a limited capacity, have been closed down. It is equally concerned at reports of the round-up and arrest of Afghan children in the streets despite the fact that they were registered with the authorities, and that as a "condition" for their release the authorities request that their parents register for repatriation. The Committee welcomes the policy of the State party to reunite children with their families, whenever possible, and notes the State party's assurances that these children are assembled in centres for further assistance and not arrested with police methods.

500. The Committee recommends that the State party:

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- (a) Take measures to address the large and increasing number of street children, with the aim of protecting these children, especially girls, and of preventing and reducing this phenomenon, in particular through assistance to families and the provision of adequate housing and access to education;
 - (b) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development, providing official documents when necessary;
 - (c) Ensure that child victims of physical, sexual and substance abuse are provided with recovery and reintegration services, protection from arbitrary and/or unlawful arrest and maltreatment by the police, and effective services for reconciliation with their families and community;
 - (d) Ensure that all Afghan children rounded up on the streets are released and are not used to push their parents to repatriate;
 - (e) Collaborate with NGOs working with street children in the State party and seek technical assistance from relevant United Nations and other international organizations.
- Togo, CRC, CRC/C/146 (2005) 104 at paras. 543, 544, 553, 554, 557, 558, 569, 570, 573, 575, 581 and 582.

543. The Committee is deeply concerned about reports of killing, in certain areas, of children born with disabilities, malformations, skin discoloration, as well as of children born with teeth, or from mothers who died during delivery.

544. While taking note of the discussions that took place with the authors of these killings, the Committee urges the State party urgently to take all necessary measures to prevent their occurrence, to prosecute those responsible for such crimes and to raise awareness among the population at large of the need to eradicate such practices.

...

553. The Committee is concerned that access to information and material from a diversity of national and international sources is very limited for persons under 18 years of age in the State party. The Committee is further concerned at the little protection provided to children from viewing offensive and pornographic materials.

554. The Committee recommends that the State party take appropriate measures to allow access to appropriate information from a diversity of sources, especially those aimed at the promotion of the child's social, spiritual and moral well-being and physical and mental health.

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...

557. The Committee is concerned that many children live with single mothers or in a vulnerable socio-economic family environment, and that recovery of maintenance from fathers is weak.

558. The Committee recommends that the State party take all necessary measures:

- (a) To provide children in single-parent families or other vulnerable socio-economic environment with adequate support, counselling or other services;
- (b) To strengthen the legal and other instruments for an effective recovery of maintenance and develop international cooperation in this regard.

...

569. The Committee welcomes the promulgation of Act No. 98-106 prohibiting female genital mutilation. However, the Committee is deeply concerned at its persistence along with other practices harmful to the health of children, particularly the girl child, including forced and early marriages, dowry disputes, initiation rites such as scarification, and rites regarding girls training in voodoo priesthood.

570. While noting the measures taken to combat harmful traditional practices, the Committee recommends that the State party:

- (a) Evaluate the campaign against female genital mutilation undertaken in 1998 in collaboration with the Division for the Advancement of Women and UNICEF;
- (b) Strengthen existing measures and adopt further measures, including by establishing and implementing international and bilateral agreements and programmes with neighbouring States and by working with traditional and religious leaders, to ensure that harmful traditional practices are effectively banned;
- (c) Using the media, raise awareness within the family and extended family and among traditional and religious leaders of the harmful impact of female genital mutilation and other harmful traditional practices on the psychological and physical health and welfare of the girl child as well as her future family;
- (d) Assist and empower practitioners of female genital mutilation to find an alternative source of income;
- (e) Continue discussions with voodoo priests to ensure that the best interests of the girl child are protected at all times;
- (f) Continue and strengthen its cooperation in this regard with, among others, UNICEF and

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the Division for the Advancement of Women.

...

573. The Committee is concerned about the lack of leisure and play areas and activities available to children.

...

575. In the light of article 31 of the Convention, the Committee recommends that the State party take the necessary measures to set up appropriate playgrounds and leisure activities for children.

...

581. The Committee is concerned at the large number of children living and working on the streets, at the vulnerability of these children to various forms of violence, including sexual abuse and economic exploitation, at the lack of a systematic and comprehensive strategy to address the situation and protect these children, and at the very poor registration and tracing of missing children by the police.

582. The Committee recommends that the State party:

- (a) Develop a comprehensive strategy to address the root causes of the large number of street children, with the aim of reducing and preventing this phenomenon, including by strengthening the capacities of the families;
- (b) Ensure that street children are provided with adequate nutrition and shelter as well as with health care and educational opportunities in order to support their full development;
- (c) Provide street children with adequate protection from abuse and violence, and with assistance when they are victims of such violence;
- (d) Facilitate the recovery and social reintegration, especially through strengthening family relationships, of street children;
- (e) Ensure adequate registration and effective tracing of missing children;
- (f) Provide psychosocial support to street children when they return to their families;
- (g) Seek technical cooperation in this regard from, among others, UNICEF.

- Bolivia, CRC, CRC/C/146 (2005) 121 at paras. 644 and 645.

644. While welcoming the formulation of Bolivia's poverty reduction strategy, which sets out a national plan of action up to 2015, the Committee notes with concern the persistent high rate of poverty in the State party, especially in rural areas.

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645. The Committee recommends that the State party take the necessary measures to ensure the continuing implementation of the national poverty reduction strategy, targeting the most disadvantaged regions and groups and ensuring that the needs of all children are met and their rights duly protected. The State party is encouraged to seek international cooperation and assistance whenever necessary.

- Nigeria, CRC, CRC/C/146 (2005) 135 at paras. 685, 686, 693, 694, 704, 705, 710, 711, 716-724, 729 and 730.

685. The Committee, aware of the economic difficulties facing the State party due in part to the widespread corruption, and the generally uneven distribution of resources, remains concerned that its welfare system is under a tremendous resource strain. In particular, the Committee is seriously concerned that there is a severe lack of financial resources allocated to the protection and promotion of children's rights.

686. With a view to strengthening implementation of article 4 of the Convention and in the light of articles 2, 3 and 6, the Committee recommends that the State party prioritize, as a matter of urgency, budgetary allocations and efficient budget management, to ensure the implementation of the rights of children to the maximum extent of available resources, where needed, within the framework of international cooperation.

...

693. While noting that discrimination is prohibited under the Constitution, and that the drafting of an Anti-Discrimination Bill is under way, the Committee regrets the absence of concrete information on the actual enjoyment of the principle of non-discrimination by children in Nigeria. The Committee reiterates its previous concern that children belonging to vulnerable groups, including girls, children living in poverty, children born out of wedlock, children with disabilities and children belonging to minority groups continue to face serious and widespread discrimination. The Committee is also concerned that the State party regards unnecessary any initiatives to prevent and combat racial discrimination given its position that social and ethnic tension, racism and xenophobia are minimal in the State party.

694. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all rights set out in the Convention without discrimination, in accordance with article 2.

...

704. Given the large number of working mothers who require childcare in the State party, the Committee is concerned with the quality of childcare provided in private and public day-care facilities. The Committee also notes with concern that there are no measures in place

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to support single parents. The Committee is also concerned by the lack of resources in these facilities to enable full physical, mental and intellectual development of children.

705. The Committee recommends that the State party adopt a programme to strengthen and increase capacities of childcare facilities in the State party, *inter alia*, through the strengthening of existing structures including childcare centres and extended families. The Committee recommends that appropriate training be given to all professionals working with children in childcare facilities and that sufficient resources are allocated to public childcare facilities. The Committee further urges the State party to establish standards and procedures, guaranteed in legislation, for alternative care, including in the areas of health, education and safety and in accordance with the principles and provisions of the Convention. The Committee recommends that the State party seek assistance from UNICEF in this regard.

...

710. The Committee reiterates its previous concern at the widespread discrimination against children with disabilities, both within the family and in society in general, especially in rural areas, and notes that many of the causes of disability in Nigeria are preventable. The Committee is particularly concerned at the lack of comprehensive government policy specifically addressing the rights of disabled children. The Committee is further concerned at the poor quality in the delivery and management of services for children with disabilities and the lack of sufficient funding for such services. The Committee is particularly concerned at the limited number of trained teachers and professionals working with children with disabilities, as well as the insufficient efforts made to facilitate their inclusion in the education system and the society in general.

711. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities, the Committee recommends that the State party:

- (a) Undertake a comprehensive study to assess the situation of children with disabilities in terms of their access to suitable health care, education services and employment opportunities;
- (b) Establish a comprehensive policy for children with disabilities and allocate adequate resources to strengthen services for them, support their families and train professionals in the field;
- (c) Reinforce its efforts to develop early detection programmes to prevent disabilities;
- (d) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia* by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

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(e) Undertake awareness-raising campaigns to sensitize the public about the rights and special needs of children with disabilities, as well as children with mental health concerns; and

(f) Seek technical cooperation for the training of professional staff, including teachers, working with and for children with disabilities from, among others, UNICEF and WHO.

...

716. The Committee welcomes the efforts made by the State party to prevent and control HIV/AIDS including the establishment of the National Action Committee on AIDS, as well as the recent introduction of testing, counselling and PMTCT (Preventing Mother-to-Child Transmission) in some areas. However, it remains concerned about the high incidence of the infection and its wide prevalence in Nigeria, as well as the lack of knowledge especially among women on modes of transmission and prevention of HIV/AIDS. The Committee is deeply concerned at the very serious impact of HIV/AIDS on the cultural, economic, political, social and civil rights and freedoms of children infected with or affected by HIV/AIDS, including the Convention's general principles and with particular reference to the rights to non-discrimination, health care, education, food and housing, as well as to information and freedom of expression. The Committee is also particularly concerned that according to UNAIDS estimates, there are over 1 million AIDS orphans, making Nigeria the country with the highest number of AIDS orphans worldwide.

717. The Committee recommends that the State party continue its efforts in preventing the spread of HIV/AIDS and providing treatment, and further integrate respect for the rights of the child into the development and implementation of its HIV/AIDS policies and strategies on behalf of children infected with and affected by HIV/AIDS, as well as their families, taking into consideration the recommendations the Committee adopted at its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243), and involve children and traditional leaders when implementing this strategy.

718. While acknowledging that the minimum age of marriage is set federally at 18 years, the Committee notes with concern that the legislation of most states and the customary law allows for early marriages, and girls can be forced into marriage as soon as they reach puberty. The Committee is particularly concerned at the reports of a large number of young women suffering cases of vesico-vaginal fistula, a condition caused by giving birth when the cervix is not well developed. The Committee is further concerned that such girls, once married, are not afforded protection and that the enjoyment of their rights as children is not ensured as enshrined in the Convention.

719. The Committee recommends that the State party amend existing legislation to prevent early marriages. It also recommends to the State party that it take measures to ensure that when underage girls are married, they continue fully enjoying their rights as set out in the Convention. The Committee also recommends that the State party develop sensitization

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programmes, involving community and religious leaders and society at large, including children themselves, to curb the practice of early marriages.

720. The Committee welcomes the introduction of a bill on violence against women in Parliament in May 2003, aimed to prohibit forms of violence such as harmful traditional practices and domestic violence, including marital rape. However, it reiterates its concern at the widespread and continuing existence of harmful traditional practices in the State party, most notably the practice of female genital mutilation, as well as scarification and ritual killing of children which pose very serious threats to children, in particular girl children.

721. The Committee is concerned at the lack of legal prohibition and sufficient interventions on the part of the State party to address harmful traditional practices. The Committee is also concerned at the lack of support services available to protect girls who refuse to undergo female genital mutilation and of services to rehabilitate girl victims of that practice.

722. The Committee recommends that the State party, as a matter of urgency, take all necessary measures to eradicate all traditional practices harmful to the physical and psychological well-being of children, by strengthening awareness-raising programmes. The Committee further recommends the State party to adopt federal legislation prohibiting such practices and encourage further legal changes at the State level, in particular, female genital mutilation, as well as measures to provide support for girls at risk and girls who refuse to undergo female genital mutilation, and provide recovery services for victims of this harmful traditional practice.

723. In view of the high proportion of children living in poverty in the State party, the Committee notes with concern the lack of reliable information regarding the coverage of the social security plans in place *vis-à-vis* the needs of children and their families. The Committee reiterates that such data is crucial for the monitoring and evaluation of progress achieved and impact assessment of policies with respect to children. The Committee is also concerned that the social security system currently in place in the State party is not in full compliance with article 26 of the Convention.

724. The Committee recommends that the State party:

(a) Upgrade its system of data collection on the coverage of the social security plans currently in place, and ensure that all data and indicators are used to evaluate and revise these plans whenever necessary; and

(b) Make efforts to revise or/and establish a social security policy along with a clear and coherent family policy in the framework of poverty reduction strategy, as well as effective strategies for using the social safety net benefits to further the rights of children.

...

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729. The Committee is deeply concerned by the impact of communal conflicts on children in Nigeria. The Committee is alarmed by the reports of indiscriminate extrajudicial killings in these conflicts, where children as well as adults are routinely killed, shot to death and burnt. The Committee is seriously concerned at the direct effects of this violence on child victims, including child combatants, and about the severe physical and psychological trauma inflicted upon them. The Committee notes that the State party has signed but not yet ratified the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict.

730. The Committee recommends the State party to take all possible measures to prevent the occurrence of communal conflicts, and to develop a comprehensive policy and programme for implementing the rights of children who have been affected by conflict, and allocate human, technical and financial resources accordingly. In particular, the Committee recommends that the State party:

(a) Develop, in collaboration with NGOs and international organizations, a comprehensive system of psychosocial support and assistance for children affected by conflict, in particular child combatants, unaccompanied IDPs and refugees, returnees;

(b) Take effective measures to ensure that children affected by conflict can be reintegrated into the education system, including through the provision of non-formal education programmes and by prioritizing the restoration of school buildings and facilities and provision of water, sanitation and electricity in conflict-affected areas; and

(c) Ratify the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict as a matter of priority.

- Saint Lucia, CRC, CRC/C/150 (2005) 10 at paras. 52, 53, 78, 79, 84 and 85.

52. The Committee remains concerned that the right to non-discrimination as defined in article 2 of the Convention on the Rights of the Child has not been fully incorporated into the State party's legislation and practice.

53. The Committee urges the State party to raise its efforts to ensure that existing laws fully comply with article 2 of the Convention and to abolish as a matter of priority all discriminatory provisions regarding children born out of wedlock.

...

78. The Committee is concerned about the lack of a national policy or legislation ensuring the right of children with all types of disabilities to the enjoyment of a full and decent life with the assurance of self-dignity and self-reliance.

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79. The Committee recommends that the State party:

(a) Adopt a comprehensive policy for children with disabilities;

...

(c) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia*, by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

...

84. The Committee is concerned that legal provisions ensuring the right of the child to benefit from childcare services and seek social security, as well as the criteria with which benefits are granted, has not been developed in Saint Lucia.

85. The Committee recommends that the State party review its legislation pertaining to the child's right to social security, paying specific attention to the child's right to request social security grants and benefits, as well as include measures in place to ensure that all children benefit from childcare services.

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 123, 124, 126, 128, 129, 131, 134, 135, 169, 170, 174, 175, 178-181, 184-187 and 195-197.

123. Notwithstanding the measures taken by the State party to eliminate discrimination against children, *inter alia*, through the implementation of the provisions of the Child and Youth Welfare Code (Presidential Decree No. 603), the Family Code and the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act and several programmes, such as the Third Elementary Education Programme, the Committee is concerned about discrimination faced by many children, in particular children living in poverty, children with disabilities, indigenous and minority children, including Muslim children living in Mindanao, migrant children, street children and children living in rural areas as well as children living in areas of conflict, as regards their access, *inter alia*, to social and health services and education. The Committee is particularly concerned about the *de facto* discrimination faced by girls in everyday life, which is often multiple discrimination based on their gender. The Committee finally reiterates its concern about the unequal status of children born out of wedlock, particularly with regard to their right to inherit and their discriminatory classification as "illegitimate".

124. In the light of article 2 of the Convention, the Committee recommends that the State party increase its efforts to ensure effective implementation of existing laws guaranteeing the principle of non-discrimination and adopt a proactive and comprehensive strategy to eliminate all forms of discrimination, including forms of multiple discrimination, against all vulnerable groups of children. The Committee recommends that the State party pay

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particular attention to the equal status and full enjoyment of all human rights and fundamental freedoms by girls. As regards children born out of wedlock, the Committee requests the State party to review its domestic legislation in order to secure their right to equal treatment, including their right to equal inheritance and abolish the discriminatory classification of those children as “illegitimate”.

...

126. The Committee expresses its serious concern about violations of the right to life of children, *inter alia*, due to the internal armed conflict. The alleged cases of extrajudicial killings of children by military soldiers in Bulan, Sorsogon, in 2004 and by so-called death squads in Davao and Digos cities during recent years give cause for very serious concern.

...

128. The Committee also notes with concern the deficiencies in the reporting system of newborn deaths and stillbirths due to limited access to civil registrars.

129. Referring to article 6 and other relevant articles of the Convention, the Committee urges the State party to make every effort to reinforce protection of the right to life, survival and development of all children, *inter alia*, by taking effective measures to prevent extrajudicial killings of children and to investigate thoroughly all alleged cases of killing and bring perpetrators to justice.

...

131. As regards reporting of newborn deaths and stillbirths, the Committee recommends that the State party facilitate access to civil registrars, particularly in the remote areas of the country.

...

134. The Committee notes with appreciation the activities of the child helpline “Bantay Bata 163”, which is an important instrument for children to express their concerns and views and seek help and advice. However, the Committee is concerned at the fact that the helpline is only accessible to children living in the capital region and its expansion to the rural areas of the country lacks core funding.

135. The Committee recommends that the State party support the expansion of “Bantay Bata 163” child helpline by making it nationally accessible and toll-free and providing it with adequate human, technical and financial resources. As regards awareness of the helpline among children, the Committee recommends that the State party include information about the helpline in its child-related programmes.

...

169. The Committee notes with concern the high number of children living in households below the national poverty line and the wide disparities in wealth between different regions. The Committee is deeply concerned about difficulties faced by children living in poverty, as to the enjoyment of their human rights, including access to social and health services and education. The Committee is also concerned about the poor housing situation in the State party and families living, for example in urban slums and squatter communities without

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adequate infrastructure.

170. In accordance with article 27 of the Convention, the Committee recommends that the State party take urgent efforts to raise the standard of living among its rural and urban population living in poverty, *inter alia*, through implementing a poverty reduction strategy and community development, including the participation of children. The Committee requests the State party to increase its efforts to provide material assistance and support to economically disadvantaged children and their families. Moreover, the State party should ensure that children living in poverty are provided with access to social and health services, education and adequate housing.

...

174. Notwithstanding the State party's efforts to develop and organize sports and cultural activities for children, the Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children and the discrepancies between *barangays* in this respect. The Committee is concerned that there are several groups of children, such as children not involved in primary education, child labourers and street children, who neither have equal right to enjoy their right to rest and leisure nor to engage in play, sport, recreational and cultural activities.

175. In the light of article 31 of the Convention, the Committee recommends that the State party make all necessary efforts to protect the right of the child to rest, leisure, cultural and recreational activities. The Committee recommends that the State party strengthen its efforts to promote the right of the child to engage in play by providing children with creative play facilities. It requests the allocation of adequate human and financial resources to the implementation of this right and the payment of particular attention to vulnerable groups of children, such as children outside of the educational system, child labourers and street children.

...

178. The Committee welcomes the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict by the State party in August 2003 and the setting of minimum age of 18 years for recruitment into the national Armed Forces, however, with exception for training purposes. The Committee also takes note with appreciation of the adoption of a Comprehensive Programme Framework for Children in Armed Conflict of 2001 (Presidential Executive Order No. 56) which promotes rescue, recovery and reintegration of children involved in armed conflict. Notwithstanding these positive steps taken by the State party, the Committee expresses its deep concern about children, sometimes as young as 11 years old, being recruited by armed rebel movements, such as the New People's Army, the Moro Islamic Liberation Front, and the Abu Sayyaf Group, to serve as combatants, spies, guards, cooks or medics.

179. The Committee is concerned that the State party is able to provide only the arrested child soldiers with physical and psychological recovery and social reintegration services, but

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the majority of children involved in and affected by armed conflict is never reached. Furthermore, the Committee is concerned about the continuing displacement of children and their limited access to social and health services, education and, above all, to development due to the adverse effects of internal armed conflict. In addition, the Committee is concerned at the impact of internal armed conflict on children not involved in hostilities, particularly Muslim children living in the Mindanao region.

180. The Committee recalls that the State party has undertaken to respect and ensure all the rights set forth in the Convention for all children within its jurisdiction at all times. In the light of articles 38, 39 and other relevant articles of the Convention, the Committee urges the State party to continue its peace efforts with armed rebel movements in order to urge them to immediately cease the recruitment for and involvement of children in armed conflicts, and to ensure protection of all children who have been involved in armed conflict. The Committee recommends to the State party that it provide children involved in and traumatized by armed conflict with adequate assistance and counselling for their physical and psychological recovery and social reintegration into society in cooperation with national and international non-governmental organizations and United Nations bodies, such as UNICEF. The Committee recommends that the State party provide girl child soldiers with adequate gender-specific rehabilitation and reintegration services.

181. The Committee also recommends that the State party pay particular attention to the implementation of guidelines for Philippine Armed Forces on the treatment of children in armed conflict and ensure that children who are arrested are released from military custody within the prescribed time limits and that children are provided with adequate medical treatment and informed about their rights. As regards displaced children and children living in conflict areas, the Committee urges the State party to take effective measures to secure their access to basic services, including adequate social and health services and education and development. Finally, the Committee recommends that the State party ensure that all children living in areas affected by armed hostilities enjoy their human rights on equal footing without any discrimination.

...

184. While noting the State party's efforts to combat drug trafficking and drug and substance abuse, *inter alia*, through implementing the Comprehensive Dangerous Drugs Act of 2002 (Republic Act No. 9165), and the increased number of treatment and social reintegration services for children, the Committee is deeply concerned at the massive narcotic trade in the Philippines and its adverse effects on children and adolescents. It shares the State party's concern about the high incidence of drug and substance abuse, including glue and solvent sniffing among street children. Furthermore, the Committee is concerned about the fact that children, who voluntarily seek treatment in drug recovery and reintegration centres, are often asked to pay for treatment causing insurmountable obstacles to children of limited means and denying their access to treatment and reintegration.

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185. The Committee recommends that the State party continue to strengthen its efforts to:

- (a) Combat drug and substance abuse among children and adolescents, for example by effectively implementing the Comprehensive Dangerous Drugs Act of 2002 and secure due process of the law;
- (b) Provide children and adolescents with accurate and objective information about drug and substance use, including hard drugs, glue and solvent sniffing, through public school programmes and media campaigns and protect children from harmful misinformation and models;
- (c) Develop free and easily accessible drug abuse treatment and social reintegration services for children who are victims of drug and substance abuse;
- (d) Tailor specific drug abuse, including glue and solvent sniffing, recovery and social reintegration programmes and centres for street children and cooperate with non-governmental organizations in this respect;
- (e) Allocate adequate budgetary funds to existing drug recovery and reintegration centres;
- (f) Seek technical assistance from, among others, the United Nations Office on Drugs and Crime and WHO.

186. The Committee reiterates its grave concern at the high number of children living in the streets and their special vulnerability to various forms of violence and abuse, including sexual abuse and exploitation, economic exploitation and substance abuse. The Committee notes the lack of a systematic and comprehensive strategy to address the situation and protect children living in the streets. The Committee emphasizes that unlawful arrest and detention of street children are serious violations of the provisions and principles of the Convention. Notwithstanding the efforts taken by the State party and, in particular, many non-governmental organizations working with and for street children, for example ChildHope Asia Philippines, the Committee is concerned about street children's limited access to adequate nutrition, clothing, housing, social and health services and education. Furthermore, the Committee is concerned about health risks faced by street children, including environmental health risks, such as toxic and hazardous wastes and air pollution.

187. The Committee recommends that the State party:

- (a) Develop a comprehensive strategy with active participation of street children, non-governmental organizations and relevant professionals to address the high number of street children, with the aim of reducing and preventing this phenomenon;

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- (b) Ensure that children living in the streets are not unlawfully arrested and detained, protect them from police brutality and where needed, secure their access to adequate legal services;
- (c) Ensure that street children are reached through trained street educators and counsellors and provided with adequate nutrition, clothing and shelter as well as with social and health services and educational opportunities, including vocational and life skills training, in order to support their full development and provide them with adequate protection and assistance;
- (d) Provide street children with adequate recovery and social reintegration services for physical, sexual and substance abuse and promote reunification with their families, when feasible;
- (e) Reduce and prevent the environmental health risks faced by children living in the streets, *inter alia*, through raising awareness about environmental health risks among these children and instructing appropriate behaviours which protect them from these risks;
- (f) Support the efforts of street children to organize themselves in order to enhance their self-esteem;
- (g) Collaborate with and support non-governmental organizations working with and for street children.

...

195. While noting the provisions of the Indigenous Peoples Rights Act (Republic Act No. 8371) as well as programmes and projects for children belonging to minorities and indigenous peoples, such as an alternative system of education for children belonging to indigenous cultural communities, the Childcare Development Programme and the Lingua Franca Project, the Committee is concerned about the widespread poverty among minorities and indigenous peoples and the limited enjoyment of their human rights, in particular, concerning their access to social and health services and education. The Committee shares the State party's concern about arranged early marriage in the indigenous communities. In addition, the Committee notes with concern more pronounced discrimination against Muslims.

196. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that indigenous children and children belonging to minorities fully enjoy all of their human rights equally and without discrimination. In this respect the Committee recommends that the State party strengthen its efforts to implement the Indigenous Peoples Rights Act (Republic Act No. 8371) and develop and implement policies and programmes in order to ensure equal access for indigenous and minority children to culturally appropriate services, including social and health services and education. Furthermore, the Committee recommends that the State party strengthen its mechanisms for data collection on minority and indigenous children so as to

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identify existing gaps and barriers to the enjoyment of their human rights and with a view to developing legislation, policies and programmes to address such gaps and barriers.

197. As regards the child's right to use his/her own language, the Committee encourages the State party to continue its efforts to address the linguistic needs of indigenous and minority children. In addition, the Committee recommends that the State party seek, in close collaboration with indigenous and minority communities and their respective leaders, effective measures to abolish traditional practices prejudicial to the health and well-being of indigenous and minority children, such as early marriage.

- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 227, 228, 246, 248, 256, 257, 265, 266, 277 and 278.

227. The Committee is concerned that discrimination on grounds of ethnicity, political affiliation, national origin, social status, status as internally displaced persons or returnees, residence in rural areas and gender or disability continues to be widespread. The Committee also expresses concern at the information that - despite some improvements - the media sometimes contribute to stigmatization and social exclusion by conveying stereotyped messages and distrust of people belonging to minority and/or ethnic groups.

228. In accordance with article 2 of the Convention, the Committee recommends that the State party carefully and regularly evaluate existing disparities in the enjoyment by children of their rights and undertake on the basis of that evaluation the necessary steps to prevent and combat all discriminatory disparities. It also recommends that the State party strengthen its administrative and judicial measures to prevent and eliminate de facto discrimination against children, in particular children with disabilities, Roma children and children belonging to ethnic and/or religious minorities or other nationalities. The State party is also encouraged to develop, in consultation with the media, a code of conduct with a view to eliminating stereotyping and stigmatization of minority and/or ethnic groups in the media.

...

246. While the Committee welcomes the various legislative measures taken for the protection of children with disabilities, it notes with concern that discriminatory practices and prejudices still exist towards disabled persons, including children and that they lack sufficient medical care and educational opportunities.

...

248. The Committee encourages the State party to actively pursue its current efforts and to continue to:

(a) Review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and of the Committee's recommendations adopted at its day of general

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discussion on children with disabilities (see CRC/C/69);

(b) Make efforts to detect disabilities within the educational system and ensure better evaluation of the overall needs of students with disabilities;

(c) Take concrete and specific measures to ensure that children with disabilities may exercise their right to education to the maximum extent possible and facilitate inclusion in the mainstream education system, including vocational education;

(d) Undertake greater efforts to make available the necessary professional (i.e. disability specialists) and financial resources, especially at the local level, and to promote and expand community-based rehabilitation programmes, including parent support groups;

(e) Strengthen public awareness campaigns to change negative public attitudes towards persons with disabilities.

...

256. The Committee notes that, as a result of the war, slow economic recovery, low salaries and unemployment, many families live in economic hardship and about 20 per cent below the official poverty line. Most children who have lost their parents live in harsh poverty. The Committee is concerned that poor living conditions seriously limit children's enjoyment of their rights in the family, schools and in peer and cultural activities.

257. The Committee recommends that the State party take all necessary measures to provide support and material assistance to economically disadvantaged families, including targeted programmes with regard to the most needy groups of families, in order to guarantee the right of all children to an adequate standard of living.

...

265. Although the number is constantly decreasing, the Committee is concerned at the information that between 1992 and August 2000 a total of 4,371 persons had been victims of landmines, including about 300 children. The Committee is also concerned at the information that there are still 1 million mines in approximately 30,000 minefields throughout the country, including around schools and in areas where children play and that, according to Red Cross sources, every month 50 children suffer from the consequences of this situation. Furthermore, the Committee is concerned at the situation of children who were victims of the armed conflict, in particular with regard to the consequences of the conflict on their physical and psychological status.

266. The Committee recommends the State party to continue carrying out mine-awareness campaigns, undertake as a matter of priority demining programmes and extend the psychological and social assistance to children who have been affected by the explosion of mines and other consequences of the armed conflict.

...

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277. While the Committee welcomes the Law on the Protection of National Minorities, adopted by Parliament of Bosnia and Herzegovina on 1 April 2003, as well as the establishment of the Roma Committee, it remains concerned about the fact that continuing problems of ethnic discrimination and intolerance, including instances of violence and of daily discrimination, have a huge impact on the full enjoyment of the rights enshrined in the Convention by children belonging to ethnic minorities, especially Roma.

278. The Committee recommends that the State party take effective measures to protect the full enjoyment of the rights of children belonging to ethnic minority groups and undertake special measures to stimulate a process of reconciliation and confidence-building, including wide-ranging educative and awareness-raising campaigns.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 291-294, 297-299, 316-318, 332, 333, 352-355, 362 and 363.

291. The Committee notes the extremely negative impact of the armed conflict between the State party and the Communist Party of Nepal (the Maoists) on children in Nepal, and that it has created conditions in which even minimal implementation of the Convention is difficult. The Committee notes that the climate of fear, insecurity and impunity resulting from the armed conflict and the states of emergency, declared in 2000 and 2004, have had a seriously negative physical and psychological impact on the sound development of children in the State party. The Committee is extremely concerned at the large-scale bombing, destruction and closing of schools by Maoist insurgents, which are violations of the fundamental rights to education of children. The Committee also notes with deep concern that the conflict has also exacerbated the existing problems in the implementation of the Convention in the State party, as outlined in the present concluding observations.

292. The Committee further notes with serious concern that the absence of the parliament which was dissolved in 2002, does not allow the State party to enact or amend legislation, nor to ratify international conventions, including the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

293. While noting the *de facto* control by non-State actors of areas of the State party's territory, the Committee emphasizes the full responsibility of the State party, and urges the Communist Party of Nepal (the Maoists) to respect child rights within the areas in which they operate. The Committee reminds the State party of its obligation to respect the

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Convention at all times and not to derogate from any of its provisions, even in exceptional circumstances, including the state of emergency. The Committee further recommends the State party to take stronger measures to combat impunity with regard to violence against children.

294. The Committee recommends to the State party that it undertake all necessary measures to restore the regular functioning of the State party, including the parliament, and to ratify the Optional Protocols to the Convention.

...

297. The Committee welcomes the State party's plans to amend its domestic legislation, most notably the 1992 Children's Act, to ensure full conformity with the principles and provisions of the Convention. However, it expresses some concern about the pace of such undertakings.

298. The Committee also reiterates its previous concern regarding the disparities in legislation, in particular, in local, customary and religious laws, which result in uneven and discriminatory protection and promotion of children's rights.

299. The Committee recommends that the State party continue to strengthen the process of achieving compliance of its legislation, in particular, the 1992 Children's Act, with the principles and provisions of the Convention. The Committee further recommends that the State party remove the current age restriction in the Children's Act to ensure that children of all ages are able to approach the court for protection.

...

316. While noting that discrimination is prohibited under the Constitution and other relevant legislation, as well as the various efforts undertaken by the State party to eliminate discrimination, the Committee reiterates its deep concerns about the widely prevailing *de facto* discrimination against girls and children belonging to the most vulnerable groups such as the *Dalit* community, children belonging to indigenous or ethnic minority groups, refugee and asylum-seeking children, street children, children with disabilities and children living in rural areas. The Committee notes with grave concern that as a consequence of prevailing discriminatory attitudes, children belonging to vulnerable groups are particularly likely to fall victim to abuse and exploitation.

317. With reference, *inter alia*, to the concerns of the Committee on the Elimination of Racial Discrimination (CERD/C/64/CO/5) regarding the persistent *de facto* caste-based discrimination against *Dalit* in education, employment, marriage, access to public places including water sources and places of worship, the Committee expresses serious concern about the harmful effects of this prevailing form of discrimination on the physical, psychological and emotional well-being of the *Dalit* children in the State party.

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

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implementation of existing laws guaranteeing the right to non-discrimination, and to adopt appropriate legislation, where necessary, to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2. In this regard, the Committee urges the State party to prioritize and target social services for children belonging to the most vulnerable groups, and to take all effective measures to ensure their protection from exploitation. The Committee encourages the State party to launch comprehensive public information campaigns to prevent and combat all forms of discrimination.

...

332. The Committee is concerned about the significant number of children who are living in adult prisons with their parents, often in poor conditions that fall short of international standards.

333. The Committee recommends to the State party that it review the current practice of children living with their parents in prison, with a view to limiting the stay to instances in which it is in his/her best interest, and to ensuring that the living conditions are suitable for his/her needs for the harmonious development of his/her personality. The Committee also recommends that children of parents in prison should be provided with adequate alternative care, for instance, within the extended family and be allowed regular contact with their parents.

...

352. The Committee expresses concern about the high level of prevailing poverty in the State party, which hampers the respect for, and fulfilment of, the rights of children, particularly those living in rural areas, those living in slums and squats, and among the lower castes and ethnic minorities, and the ability of their families to provide them with adequate protection.

353. In view of the significant proportion of children living in poverty, the Committee notes with regret the paucity of information concerning the rights of the child to benefit from social security, and expresses concern at the absence of a comprehensive legislative and regulatory social security system that is in full compliance with article 26 of the Convention.

354. In accordance with articles 26 and 27 of the Convention, the Committee recommends that the State party:

- (a) Strengthen its strategy to combat poverty, with due emphasis on monitoring the impact on the rights of children and that it allocate sufficient human and financial resources, including through international assistance, to ensure the implementation of its strategy;
- (b) Reinforce its efforts to provide support and material assistance to economically disadvantaged families, notably those living in rural areas, slums and squats and to guarantee the right of children to an adequate standard of living;

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(c) Establish poverty indicators and an official poverty line, which will enable the State party to define the extent of poverty and to monitor and evaluate progress in alleviating poverty and improving the standard of living for children in the State party;

(d) Establish a social security policy along with a clear and coherent family policy, as well as effective strategies for using the social safety net benefits to further the rights of children and provide adequate financial resources to the social security system.

355. The Committee therefore recommends that the State party make efforts to revise and/or establish a social security policy along with a clear and coherent family policy in the framework of poverty reduction strategy, as well as effective strategies for using the social safety net benefits to further the rights of children.

...

362. The Committee is highly alarmed by the number of children who were killed in armed conflicts in the State party. The Committee notes with grave concern the reports of abduction and forcible conscription of children by the armed groups for political indoctrination and for use as combatants, informants, cooks or porters and as human shields. The Committee is equally concerned that Government forces target under 18s suspected of being members of the armed groups and about the highly alarming reports of disappearances and arbitrary detention and of Government forces allegedly using children as spies and messengers. The Committee is also deeply concerned that there are reports of detention of children under the 2004 amendment to the Terrorist and Disruptive Activities (Control and Punishment) Ordinance. The Committee is concerned at the direct effects of this violence on child victims, including child combatants, and about the severe physical and psychological trauma inflicted upon them. The Committee also expresses concern about children who were separated due to the conflict, including children who have fled to India, and that little efforts have been taken by the State party to reunite these families. The Committee is also concerned about the negative impact of the armed conflict on food supplies, education and health care.

363. The Committee recommends that the State party develop a comprehensive policy and programme for implementing the rights of children who have been affected by conflict, and allocate human and financial resources accordingly. In particular, the Committee recommends that the State party:

(a) Criminalize abduction, recruitment and use of children for military purposes by any armed forces or armed group;

(b) Establish a separate Rule of Engagement for its security forces with regard to children;

(c) Amend or repeal the Terrorist and Disruptive Activities (Control and Punishment) Ordinance in the light of the international juvenile justice standards and norms;

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- (d) Develop, in collaboration with NGOs and international organizations, a comprehensive system of psychosocial support and assistance for children affected by conflict, in particular child combatants, unaccompanied internally displaced persons and refugees, returnees;
 - (e) Take effective measures to ensure that children affected by conflict can be reintegrated into the education system, including through the provision of informal education programmes and by prioritizing the rehabilitation of school buildings and facilities and provision of water, sanitation and electricity in conflict-affected areas;
 - (f) Ratify the Hague Convention on the Civil Aspects of International Child Abduction;
 - (g) Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict as a matter of priority;
 - (h) Seek technical assistance from, *inter alia*, OHCHR and UNICEF in this regard, and provide maximum possible cooperation to the newly established office of OHCHR in Nepal.
- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 406, 407, 414, 415, 417, 418, 437, 438, 443, 444, 447, 448, 451 and 452.

406. The Committee notes with deep concern that the resources allocated for social services, particularly with regard to the promotion and protection of children's rights are relatively low and this seems to a large extent to be caused by considerable expenditure (more than 35 per cent of the national budget) on debt servicing. In addition, the Committee is concerned that the free trade agreements, currently being negotiated, may also negatively impact the allocation of budgets for social services.

407. The Committee urges the State party to increase budget allocations for the promotion and implementation of the rights of children in accordance with article 4 of the Convention and pay particular attention to investment for the implementation and protection of the rights of children belonging to vulnerable groups, including indigenous and Afro-Ecuadorian children, children living in poverty and those in remote areas. The Committee also recommends that the State party undertake maximum efforts to negotiate the rescheduling of payments on external and internal debts with a view to investing more in poverty reduction programmes including investment in the implementation of rights of children to, *inter alia*, education, the highest attainable standard of health and adequate standard of living and calls on the international and private financial institutions and bilateral and multilateral partners to support these efforts. The Committee finally recommends that the State party ensure that free trade agreements do not negatively affect the rights of children, *inter alia*, in terms of access to affordable medicines, including generic ones. In this regard, the Committee reiterates the recommendations made by the Committee on Economic, Social and

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Cultural Rights (E/C.12/1/Add.100).

...

414. The Committee reiterates the concern voiced by the Committee on the Elimination of Racial Discrimination (CERD/C/62/CO/2, para. 11) that, despite constitutional and legal guarantees, indigenous and Afro-Ecuadorian people, as well as members of other ethnic minorities are, *de facto*, still discriminated against. The Committee is further concerned about discrimination against girls, children living in poverty and refugee children.

415. The Committee urges the State party to take adequate measures to ensure practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination and the full compliance with article 2 of the Convention and to strengthen and effectively implement its national strategies to eliminate discrimination on any grounds and against all vulnerable groups.

...

417. The Committee is particularly concerned about the high number of children who are victims of violence.

418. The Committee urges the State party to undertake effective measures, to the maximum extent possible, to reduce and eliminate the occurrence of violence.

...

437. Despite the considerable efforts made by the State party in the area of health, in particular the reduction in infant mortality over the last 10 years, the Committee remains concerned at the increasing adolescent mortality rates as stated in the State party report ([CRC/C/65/Add.28,] para. 143). The Committee is also concerned at the high levels of malnutrition, in particular in rural areas.

438. The Committee recommends that the State party strengthen its efforts to improve the health situation of children in the State party and improve access to quality health services and address the issue of malnutrition, particularly in rural and remote areas. The Committee also recommends that the State party strengthen the "Mother-and-child friendly hospitals" Initiative and update training manuals for health professionals on the promotion and protection of breastfeeding.

...

443. The Committee joins the concern expressed by the Committee on Economic, Social and Cultural Rights (see E/C.12/1/Add.100, para. 26) with regard to the persistent and growing level of poverty in the State party, particularly affecting children, including indigenous and Afro-Ecuadorian children.

444. The Committee recommends that the State party increase its effort to provide vulnerable and marginalized children, including indigenous and Afro-Ecuadorian children, with material assistance and support programmes, particularly with regard to nutrition, clothing and housing in accordance with article 27 of the Convention.

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...

447. While noting the efforts undertaken by the State party in organizing sports and cultural activities, the Committee notes with concern the insufficient number of recreational and cultural activities available.

448. The Committee recommends that the State party ensure that children can enjoy their right to leisure, play and participation in cultural and artistic activities, in accordance with article 31 of the Convention.

...

451. The Committee expresses its concern at the high number of people, among which a significant number of children, who are victims of violence and displacement, which are to a significant degree a consequence of Plan Colombia.

452. The Committee recommends that the State party undertake all necessary measures to reduce the negative impacts of Plan Colombia on the population, to ensure the respect of the rights of the children and to provide all victims with assistance for recovery.

- Norway, CRC, CRC/C/150 (2005) 105 at paras. 482, 483, 493, 494 and 501-504.

482. Despite the ongoing measures of the State party in this area, the Committee is concerned about the discrimination faced by some children in schools and society on the basis of their religious or ethnic backgrounds.

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

...

493. The Committee notes with concern that children with disabilities are limited in their participation in cultural and recreational activities.

494. The Committee recommends that the State party take all necessary measures to ensure that equal access to services, including cultural and recreational activities, is provided to children with disabilities taking into consideration the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339).

...

501. The Committee notes with concern the high proportion of immigrant children living in households with a persistently low income.

502. The Committee recommends that the State party ensure that the needs of all children

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are met and take all necessary measures to ensure that no group of children lives below the poverty line.

503. The Committee welcomes the numerous measures taken to combat bullying at school, particularly the initiatives taken by the Ombudsman for Children, but it remains concerned at the persistence of this phenomenon in many schools.

504. The Committee recommends that the State party strengthen the measures taken to combat bullying and ensure the participation of children in the initiatives aimed at reducing bullying.

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 524, 525, 534-536, 554-557, 564, 565, 569, 570, 577, 578, 584 and 585.

524. The Committee welcomes a comprehensive law reform in the State party, including various legislative measures taken to strengthen the protection of children's rights. Notwithstanding the positive steps taken by the State party in the field of domestic legislation, the Committee is concerned at the insufficient number of implementation measures, which tend to form a gap between law and practice. In addition, the Committee is concerned about some contradictory provisions of the domestic laws leaving children without adequate protection, e.g. the compulsory school age is 17, whereas the labour law allows children aged 14 and 15 years old to work 30 hours per week.

525. The Committee recommends that the State party take all necessary measures, including the provision of adequate financial and human resources, for the effective implementation of its domestic legislation, including recently adopted laws. It also recommends that the State party review its domestic laws in order to identify possible gaps in the protection of children.

...

534. Welcoming the efforts that have been made to disseminate information about the principles and provision of the Convention, inter alia through the National Forums of Mongolian Children in 1998 and 2001, thematic years dedicated to children's issues and regular training activities, the Committee expresses its concern that these measures have not been effective to the extent desirable. The Convention is not disseminated at all levels of society and there are regional disparities, in particular regarding rural areas and among minorities.

535. The Committee notes that the training and retraining of professionals working with and for children has been conducted in collaboration with international agencies and non-governmental organizations. The Committee is, however, of the opinion that these

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measures need to be further strengthened and implemented in an ongoing, comprehensive and systematic basis.

536. The Committee recommends that the State party:

(a) Develop more creative and child-friendly methods to promote the Convention, in particular at the local level and among minorities, and through the media;

(b) Include the Convention, its principles and provisions in the school curricula;

(c) Continue to strengthen its efforts to provide adequate and systematic training and/or sensitization on children's rights for professional groups working with and for children, such as judges, lawyers, law enforcement and health personnel, teachers, school and institution administrators and social workers as well as journalists;

(d) Continue to seek technical assistance from, among others, UNICEF, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

...

554. The Committee is concerned that the number of places available in services, such as day care and pre-school facilities, appears to be inadequate and there are notable regional disparities in this respect.

555. In the light of article 18, paragraph 3, of the Convention, the Committee recommends that the State party take immediate measures to increase the number of places in day care and pre-school facilities, paying particular attention to the regional equality.

556. The Committee expresses its grave concern about the situation of children with disabilities and regrets that discrimination against them exists. While noting that the majority of services for children with disabilities exist in the urban area, the Committee is particularly concerned for children with disabilities living in rural areas of the country and the difficult socio-economic circumstances faced by them. While taking note of the laws regulating the rights of persons with disabilities and the National Programme for the Improvement of the Situation of Disabled Citizens, adopted in 1999, the Committee is concerned about the lack of effective policies, basic services and coordination supporting the children with disabilities. The Committee notes with concern the lack of a legal framework to provide children with disabilities with access to the physical environment. The Committee also notes with concern that the high number of children with disabilities have neither adequate access to social and health services nor to education. Furthermore, the Committee expresses its concern about the lack of adequate statistical data on children with disabilities and the existing prejudices against children with disabilities.

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557. The Committee urges the State party, taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69):

- (a) To initiate and plan a comprehensive national policy for children with disabilities and to allocate necessary financial and human resources to implement the plan;
- (b) To collect adequate and disaggregated statistical data on children with disabilities and to use such data in developing policies and programmes to promote their equal opportunities in society, paying particular attention to children with disabilities living in rural areas of the country;
- (c) To prevent and prohibit all forms of discrimination against children with disabilities and to ensure equal opportunities for their full participation in all spheres of life;
- (d) To take all necessary measures to include children with disabilities in the mainstream school system to the extent possible and, where necessary, to establish special education programmes tailored for their special needs;
- (e) To take measures to provide children with disabilities with access to the physical environment, information and communication;
- (f) To raise awareness, owing to the deeply rooted prevailing prejudices against children with disabilities in Mongolian society, of children with disabilities, including their rights, special needs and potential, in order to change negative public attitudes.

...

564. The Committee is deeply concerned at the persistent high rate of poverty in the State party. The Committee notes that, as a consequence of increasing migration from rural areas, poverty is becoming more urbanized and this change has created a range of new social issues, such as children living on the streets. While noting, *inter alia*, the adoption in 2004, of the “Money for hope” benefit system for children living in families with a minimum income and the State party’s efforts to implement its poverty-reduction plan, programmes and projects, the Committee reiterates its concern at the high number of children who do not enjoy the right to an adequate standard of living, including adequate housing and other basic services, both in urban and rural areas of the country.

565. In accordance with article 27 of the Convention, the Committee recommends that the State party continue to implement, as a matter of high priority, its national plan and programmes for poverty reduction, paying particular attention to economically disadvantaged families in need of support and material assistance, and to guarantee the rights of the child to an adequate standard of living.

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...

569. The Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children living in cities and that many playgrounds built for them have been destroyed during the last decade.

570. In the light of article 31 of the Convention, the Committee recommends that the State party pay attention to the right of the child to engage in play and increase its efforts to promote and protect the right of the child to rest, leisure, cultural and recreational activities by allocating adequate human and financial resources to the implementation of this right, including by designing and building safe playgrounds for children living in cities.

...

577. The Committee regrets that the State party report did not provide it with adequate information about the situation of street children. While noting with appreciation the establishment of centres for children living in the street, the Committee is concerned at the increasing number of street children living in very harsh conditions and that the causes leading to this phenomenon are often abusive family situations. According to the Law on Temporary Detention of Children without Supervision adopted in July 1994, a runaway child can be detained up to one week. The Committee is concerned that the State party's domestic legislation does not remain in full conformity with the principles and provision of the Convention in this respect. Furthermore, the Committee notes with concern that the negative public attitudes and prejudices against street children exacerbate their difficult situation.

578. The Committee recommends that the State party:

(a) Adopt a comprehensive national strategy to address the situation of street children, paying particular attention to the most vulnerable groups, and provide these children with adequate assistance, including recovery and social reintegration services for physical, sexual and substance abuse and vocational and life-skills training in order to support their full development;

(b) As regards the implementation of the Law on Temporary Detention of Children without Supervision, adopted in July 1994, refrain as a matter of policy from detaining runaway children and seek alternative forms, which are fully compatible with the provisions of the Convention, for their detention;

(c) Undertake an action-oriented study to identify the root causes and magnitude as well as the personal characteristics of street children in order to prevent this phenomenon and provide street children with services which are tailored for their needs and also provide them with opportunities for reunification with their family;

(d) Raise awareness of children living in the streets in order to change negative public attitudes about them;

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(e) Collaborate with non-governmental organizations working with street children in the State party and with children themselves and seek technical assistance from, among others, UNICEF.

...

584. The Committee regrets that it has been largely precluded, through lack of information in the report, from examining compliance of the State party's obligations with the rights guaranteed under article 30 of the Convention with regard to children belonging to minorities, such as Khazakhs and Tsaatans. The Committee is concerned about the limited enjoyment of their human rights, particularly concerning their access to social and health services and education.

585. The Committee recalls the obligations of the State party under articles 2 and 30 of the Convention and recommends that the State party ensure that children belonging to minorities fully enjoy all of their human rights equally and without discrimination...

- Nicaragua, CRC, CRC/C/150 (2005) 132 at paras. 617, 618, 649, 650, 656, 657, 665 and 666.

617. The Committee is concerned that the country's adult-centred culture and the high poverty levels, concentrated especially in rural, indigenous and Caribbean areas, prevent the full enjoyment of rights by children belonging to vulnerable groups, such as children with disabilities, indigenous children and children living in rural or remote areas.

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

...

649. The Committee is concerned at the high number of families migrating abroad and at the possible negative consequences resulting from this phenomenon on the full enjoyment by children of their rights.

650. The Committee recommends that the State party carry out a comprehensive study on the situation of children of migrant families with the aim of developing adequate strategies to ensure their protection and the full enjoyment of their rights.

...

656. The Committee is concerned at the growing number of street children living in the State party, especially in Managua, as well as at the increasing emergence of street youth gangs (*pandillas*) in the country, of which over 100 are believed to operate in the capital.

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657. The Committee recommends that the State party:

(a) Carry out a comprehensive study to assess the scope, nature and causes of the presence of street children and youth gangs (*pandillas*) in the country in order to develop a comprehensive policy for their prevention and reduction;

(b) Provide street children with recovery and social reintegration services and provide them with adequate nutrition, housing, necessary health care and educational opportunities; and

(c) Seek assistance from, *inter alia*, UNICEF.

...

665. The Committee notes with concern that, despite constitutional recognition of indigenous customary rights, indigenous communities still suffer from institutional neglect, historic abandonment and indiscriminate pillaging of natural resources, especially in the Caribbean region.

666. The Committee recommends that the State party pursue measures to effectively address the gap in life opportunities of indigenous children, and take adequate measures in order to provide protection for the rights of indigenous children as protected in the Constitution, taking due account of the recommendations adopted by the Committee at its day of general discussion on the rights of indigenous children in September 2003.

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 696 and 697.

696. The Committee notes the media involvement in the dissemination of information on the Convention *inter alia* via a weekly educational programme. But it is concerned at the incidence of sensationalized coverage of problems children may encounter or cause. The Committee is also concerned at the lack of information regarding the legal and other provisions which protect children from harmful information.

697. The Committee recommends the State party to call on the media to promote and strengthen its role in the dissemination of information on the Convention, address the incidence of sensationalist news regarding children, for example by duly regulating the activities of mass media and the Internet with a view to preventing the dissemination of harmful information and by promoting the training of professionals working for mass media on the adequate treatment of child issues, in conformity with the provisions of the Convention and on the guidelines on reporting on children adopted by the International Federation of Journalists.

- Yemen, CRC, CRC/C/150 (2005) 161 at paras. 762, 763, 774, 775, 783, 784, 791 and 792.

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762. The Committee is deeply concerned at the persistence of discriminatory social attitudes against girls. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and at the social discrimination experienced by children belonging to the most vulnerable groups, *inter alia*, children who are also addressed as *Akhdam* children, children born out of wedlock, children with disabilities, street children and children living in rural areas.

763. The Committee recommends that the State party:

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

(b) Prioritize and target social services for children belonging to the most vulnerable groups, including those children referred as *Akhdam* children, children with disabilities, street children and children living in rural areas;

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

(d) Train school teachers, media and members of the legal profession, particularly the judiciary, to be gender-sensitive; and

(e) Mobilize religious leaders to support such efforts.

...

774. The Committee takes note of the measures undertaken by the State party to guarantee children's access to information. However, it remains concerned about the limited access to information for children living in remote and rural areas.

775. The Committee recommends that the State party strengthen its effort to ensure the right to information for children, especially those who live in remote and rural areas through, *inter alia*, mobile libraries.

...

783. While acknowledging the efforts made by the State party, the Committee remains concerned at the numerous problems faced by children with disabilities. It is particularly concerned at the lack of:

(a) Accurate disaggregated statistical data on children with disabilities;

(b) A comprehensive government policy for children with disabilities; and

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(c) Integration of children with disabilities into the regular schooling system.

784. The Committee recommends that the State party:

(a) Collect accurate disaggregated statistical data on children with disabilities;

(b) Establish a comprehensive policy for children with disabilities;

(c) Review the situation of children with disabilities, in terms of their access to employment, education, housing and health-care facilities, and allocate adequate resources to strengthen services for children with disabilities, support their families and provide training for professionals in this field;

(d) Formulate a strategy, one which includes appropriate teacher training, to ensure that all children with disabilities have access to education, and whenever possible they are integrated into the mainstream education system;

(e) Ensure accessibility to all public buildings as well as to the transport system;

(f) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339); and

(g) Seek technical cooperation from, among others, UNICEF and WHO.

...

791. The Committee is very concerned at the high number of children living in poverty in the State party.

792. In accordance with article 27 of the Convention, the Committee recommends that the State party:

(a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;

(b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Programme and in all programmes intended to improve the standard of living in the country;

(c) Reform the social security system, with a view to broadening its coverage.