



Convention on the Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-sixth session

SUMMARY RECORD OF THE 964th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 28 May 2004, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Dominica (continued) (CRC/C/8/Add.48; CRC/C/RESP/55;
CRC/C/Q/DMA/1)

1. At the invitation of the Chairperson, Mr. Anthony, Ms. Fontaine and Mr. Letang (Dominica) took places at the Committee table.
2. Mr. LETANG (Dominica) said that high-quality prenatal services were provided throughout the country, and 99 per cent of deliveries took place in health-care facilities and hospitals. As a result, Dominica's maternal and infant mortality rates were very low.
3. Concern had been expressed that the practice of feeding children from an early age from the "family pot" might be one of the causes of obesity in children. It was more likely, however, that the rise in child obesity was attributable to the increasing consumption of fast foods.
4. Dominican legislation provided for 12 weeks of maternity leave, and annual leave could be added to that period in order to facilitate continuation of breastfeeding.
5. In 2003, teenage mothers had accounted for 174 out of 1,090 births. Teenage pregnancies were declining as a result of wide ranging educational programmes conducted by the Ministry of Health and non-governmental organizations (NGOs) in schools and at the community level.
6. While suicide among adolescents was rare, substance abuse was a matter of concern. The Drug Prevention Unit of the Ministry of Health had launched a series of programmes to combat abuse of drugs and illicit substances among adolescents. The sports and cultural activities offered by the Unit were funded by the European Union.
7. The CHAIRPERSON asked whether Dominica's population was declining and, if so, whether the Government had taken any measures to address the problem. He also wished to know how the Government planned to continue the activities of the Drug Prevention Unit once European Union funds were exhausted.
8. Mr. LETANG (Dominica) said that Drug Prevention Unit personnel were paid by the Government. European Union funds were used exclusively for recreational and cultural activities. If funding dried up, the Government would have to absorb those costs.
9. Migration and smaller families were at the root of Dominica's declining population. So far, no policies had been adopted to counteract that trend. However, if migration continued at the current rate, the problem would need to be addressed.
10. Community participation in providing primary health care was promoted through primary health-care committees that operated in a number of districts. In addition, district health teams promoted participation through community-based organizations. The national health plan was prepared in direct consultation with all major communities with a view to identifying their needs and devising adequate programmes.

11. Mr. ANTHONY (Dominica) said that Dominica had ratified International Labour Organization (ILO) Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
12. Awareness campaigns had been launched to promote fathers' involvement with their children. Parent-teacher associations organized meetings exclusively for fathers, and encouraged fathers to assume their parental responsibilities.
13. Some 50 children currently received assistance under Operation YouthQuake. Most were enrolled in the day programme; five children received care in the corresponding foster care unit.
14. Cases of child abuse were declining, and only 300 cases had been reported in 2003. As the main child protection agency, the Social Welfare Division worked closely with the police in matters of child abuse. The Child Abuse Prevention Programme, which had been established within the Welfare Division, was responsible for placing children at risk in a safe environment and providing rehabilitative care. A lack of trained personnel currently limited the Division's effectiveness; increasing emphasis was being placed on in-service training.
15. Cooperation between child protection agencies and the accountability of agency personnel were essential to effective child protection. At the institutional level, management procedures and appropriate lines of reporting had been established, although reporting was not yet mandatory. The establishment of a family court was high on the Government's agenda, and a bill on the subject was currently under consideration. In addition, the Government was planning to conduct a study on the causes of child abuse.
16. Ongoing training in children's rights and child protection was provided for law enforcement officers. A workshop on child and family legislation, sponsored by the United Nations Children's Fund (UNICEF) would be held shortly.
17. Concern had been expressed about the reference to "legitimate" and "illegitimate" children in legislation. The Government was currently awaiting the findings of a report by the Organization of Eastern Caribbean States for guidance on how best to address the issue.
18. In the absence of children's homes in Dominica, children in need were placed in foster care. Awareness campaigns were conducted to sensitize communities to the importance of foster care and to enhance the role of foster fathers.
19. The CHAIRPERSON asked whether abused or neglected children were placed under supervision in their homes or were removed. He was interested in learning whether parental authority was temporarily suspended when the child was removed, and whether the removal took place on a voluntary basis with parental consent or on the basis of a court order.
20. Mr. CITARELLA inquired about the legal status of "legitimate" and "illegitimate" children, particularly in indigenous communities.

21. Mr. ANTHONY (Dominica) said that the difference in the status of “legitimate” and “illegitimate” children principally concerned succession rights. Legislative changes to address the problem were currently being considered.

22. Cases of sexual abuse were referred directly to the police, and investigations were conducted by female police officers. Placement in protective care occurred only if a sexually abused child remained at risk. The child’s removal from his or her family required a decision by a competent court.

23. The CHAIRPERSON asked whether Dominican legislation provided for the possibility of removing the alleged perpetrator.

24. Mr. ANTHONY (Dominica) said that the Domestic Violence Act contained a provision on the removal of the father from the family environment. When parents failed to provide a sufficient level of care, children might be placed in alternative environments. However, priority was given to granting financial and other assistance to parents to improve the level of care.

25. Adoptions required a court decision. Dominican law prohibited any exchange of money in connection with adoption. The adoption law was currently being reviewed in order to establish a specific adoption authority and introduce a monitoring period preceding the adoption.

26. Dominican legislation prohibited capital punishment for children. However, children convicted of murder could be placed in detention at the President’s Pleasure. While that measure was deemed necessary in the light of the seriousness of the crime, it did not mean that a child was sentenced to life imprisonment without parole.

27. The CHAIRPERSON asked why Dominica’s adoption figures were so low in comparison with foster care. He wished to know whether adoption was actively promoted.

28. Ms. ORTIZ asked whether it was possible to determine, at an early stage, whether a child in foster care was likely to return to his or her biological family. A permanent solution, such as adoption, might be more conducive to the child’s welfare.

29. Mr. ANTHONY (Dominica) said that children’s placement in protective care and their return to their biological families were based on court decisions. The situation often changed and required close monitoring. Children in protective care maintained contact with their families if it was considered safe for them to do so.

30. Adoption was not actively promoted in Dominica, and potential adoptive parents were closely scrutinized for suitability. Intercountry adoption was carried out in close cooperation with the authorities in the destination country in order to ensure the suitability of the adoptive family.

31. In cases where a mother was declared unfit to have custody of her child under the Maintenance Act, legislation provided for granting custody to the father if a court found him to be a fit and proper parent.

32. Ms. FONTAINE (Dominica) said that one of the aims of the constitutional reform process that was under way in the Caribbean region was to incorporate into national constitutions a provision prohibiting discrimination on grounds of disability.
33. Dominica's policy on persons with disabilities, which had not been reviewed for some time, focused on providing access to buildings, training, special needs education and medical care. Public assistance was provided to families of persons with disabilities only upon application or if it became evident that assistance was needed. The Christian Children's Fund and other NGOs provided financial and material support to families of disabled persons. The Alpha Centre, an institution for children with moderate to severe mental deficiencies, intended to set up support groups for parents of disabled children.
34. In the current financial climate, the Government was unable to provide adequate education for children with disabilities. Consequently, many disabled children were not enrolled in the education system. As part of the ongoing Children At Risk Project, a pilot project was about to be introduced to train teachers from mainstream schools to cater for the special needs of children with disabilities. A number of Peace Corps volunteers from the United States of America were currently working with special needs children in mainstream schools. With the support of UNICEF, the Government was endeavouring to identify shortcomings in the current system of special education and to find effective solutions.
35. The Government had not considered the introduction of a special programme to promote education among the indigenous communities.
36. In order to address the national curriculum's heavy emphasis on academic subjects, a new programme of studies was being developed that would allow children to acquire life and vocational skills.
37. In the current economic situation, it was difficult to employ school attendance officers to enforce the Education Act and provide counselling to children who stayed away from school.
38. Compulsory education had been described in paragraph 366 of the report (CRC/C/8/Add.48) as being "relatively" free because, although tuition was free, parents had to pay for uniforms, transport and textbooks. The Education Trust Fund had been set up by the Government to assist children from poor families and a scheme had been introduced to provide basic textbooks to primary school children. The Christian Children's Fund provided additional assistance, and a number of businesses offered scholarships for children who could otherwise not afford to attend school.
39. Although most teacher training in Dominica was in-service, the Government was exploring the possibility of introducing a pre-service training programme. Because of current financial constraints, a number of the teachers working in Dominican schools had not yet received any formal training. There was a very high turnover of young teachers, many of whom left Dominica in search of better-paying jobs elsewhere. In order to improve the situation, the Government was reviewing the existing system of teacher education. All newly qualified teachers had to complete an induction period.

40. In recent years, there had been a slight decrease in the school dropout rate. As part of the Government's efforts to reduce that rate even further, a pastoral care policy had been introduced. Children who decided to drop out of school could enrol in one of the youth skills programmes run by the Government or the Catholic Church. They had the option of re-entering the formal system of secondary education.

41. The Education Act contained a number of provisions on home education. All home education programmes had to be based on the national curriculum and had to provide at least three years of education. All children who were educated at home had access to support services provided by the Ministry of Education. The situation of all such children was closely monitored. The Ministry of Education had the right to terminate home education programmes if the student failed to satisfy the required achievement standards.

42. An assessment of academic results over recent years had revealed that more boys than girls were underachieving at school, and the Government was taking steps to address the problem. For example, under the literacy development programme, schools were supposed to use books that were of particular interest to boys.

43. Mr. ANTHONY (Dominica) said that a number of training sessions had been held at the national and district levels to teach health professionals about their responsibilities under the Convention. The Government was considering ways of providing greater protection for health professionals who reported cases of child abuse.

44. Mr. LETANG (Dominica) said that there was no evidence that sex tourism was a problem in Dominica. However, given the increasingly important role of tourism in Dominica's economy, the Government had recognized the need to pay attention to that issue. The director of Dominican tourism had recently attended a workshop on sex tourism.

45. The difficult terrain in many parts of the country made it extremely costly to supply water to all communities. Although a number of successful projects had been implemented to supply piped water to the Carib community, further efforts were needed.

46. The CHAIRPERSON asked whether Dominica had a social security system that paid child support to families. He also wished to know the minimum age for admission to employment.

47. Mr. ANTHONY (Dominica) said that all fathers were legally obliged to pay child maintenance, regardless of whether they were married to the child's mother. However, under the current system, mothers frequently had to seek a court order to obtain maintenance payments. Failure to obey such a court order could result in imprisonment.

48. Mr. KOTRANE asked whether the Government had considered establishing a system under which child maintenance payments were made through a social security fund. Such a system might make it easier to collect payments from fathers.

49. Mr. ANTHONY (Dominica) said that, as part of its efforts to amend the Maintenance Act, the Government was considering the possibility of introducing a system whereby the courts could issue attachment of earnings orders. Under that system, employers would be instructed to deduct child maintenance payments directly from the father's earnings.
50. The CHAIRPERSON asked whether mothers seeking court orders for maintenance payments received free legal assistance.
51. Ms. SMITH requested additional information on Dominica's legal aid programme.
52. Mr. ANTHONY (Dominica) said that legal aid was granted by the recently established Legal Aid Clinic on the basis of a needs assessment. Priority was given to women and juveniles.
53. Ms. AL-THANI said that Dominica needed to bring its legislation fully into line with the provisions of the Convention. The Committee had taken note of Dominica's efforts to set up an inter-ministerial committee, and recommended that it should establish an independent monitoring system in accordance with the Paris Principles. The State party should address ambiguities in its definition of the child, improve its birth registration system, prohibit all forms of corporal punishment and raise awareness of alternative methods of discipline. Dominica should conduct an in-depth study of the causes of child abuse and introduce more effective preventive measures. The Committee remained concerned at the insufficient services for children with special educational needs. The Committee urged the State party to incorporate human rights education into the new national curriculum.
54. Mr. LETANG (Dominica) said that, although the Government of Dominica had made considerable progress in the fields of health, education and child protection, much more needed to be done. In that regard, Dominica was counting on the support of the countries with which it had recently renewed diplomatic ties.

The meeting rose at 4.25 p.m.