

Report of the Committee on the Rights of the Child

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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I. CONCLUSIONS AND RECOMMENDATIONS ADOPTED BY THE
COMMITTEE ON THE RIGHTS OF THE CHILD AT ITS
SIXTH TO ELEVENTH SESSIONS

A. Informal regional meetings

Seventh session, recommendation 2

Informal regional meetings

The Committee on the Rights of the Child,

Reaffirming the decisive role regional meetings can play in promoting greater awareness of the Convention on the Rights of the Child 1/ and of the work of the Committee, as well as providing the members of the Committee with a deeper knowledge and better understanding of the realities of a given region,

Convinced of the relevance of these meetings for enhancing international cooperation and joint efforts between United Nations bodies, the specialized agencies and other competent bodies active in the field of the rights of the child,

Reiterating the importance of the participation in such meetings of non-governmental organizations active in the field of the rights of the child,

Recalling that the implementation of the Convention is a dynamic and continuous process, designed to ensure the realization of the fundamental rights of children and the progressive improvement of their situation,

Recognizing that informal regional meetings are of the greatest relevance to achieve universal ratification of the Convention, as well as its effective implementation, as recommended by the World Conference on Human Rights,

Welcoming the richness and diversity of the experiences gained in its visit to different African countries, in the course of its third regional informal meeting,

1. Reaffirms the decisive role of informal regional meetings in contributing to a wider promotion of the rights of the child;

2. Welcomes the possibility of continuing to hold informal regional meetings, as well as of undertaking future trips by some of its members to particular countries, with a view to encouraging universal ratification of the Convention, contributing to its effective implementation and, whenever appropriate, ensuring a follow-up to the consideration of a State party report by the Committee.

1/ General Assembly resolution 44/25, annex.

B. Public information activities

Sixth session, recommendation 1

Dissemination of information

The Committee on the Rights of the Child,

Recognizing the importance of the Convention on the Rights of the Child 1/ and the political commitment expressed towards its effective implementation by the unprecedented number of ratifications,

Recalling that the World Conference on Human Rights, in its final document, 2/ urged the universal ratification of the Convention by 1995 and its effective implementation by States parties,

Recalling also the high expectations for the effective functioning of the Committee as an essential mechanism for the implementation of the Convention,

Recognizing the importance of promoting greater awareness of the principles and provisions of the Convention, as well as of its implementation system, including the activities developed by the Committee as a treaty monitoring body,

Decides to request the Secretary-General to ensure the translation of the reports of the Committee on each of its sessions into the official languages of the United Nations.

C. Relations with other United Nations organs and treaty bodies

1. Children in armed conflicts

(a) Sixth session, recommendation 2

Cooperation with United Nations bodies - Children in armed conflicts

The Committee on the Rights of the Child,

Recalling its general discussion on the topic "Children in armed conflicts" and the recommendations adopted thereon,

Taking into consideration the serious attention paid by the General Assembly and the Commission on Human Rights to this question and the important resolutions adopted in this field,

Encouraged by the support expressed by the World Conference on Human Rights to the Committee's proposal that the Secretary-General initiate a study of means of improving the protection of children in armed conflicts,

Taking note of the request addressed to it by the World Conference on Human Rights to study the question of raising the minimum age of recruitment into the armed forces,

2/ A/CONF.157/24 (Part I), chap. III.

Having submitted to the Commission on Human Rights at its fiftieth session the preliminary draft optional protocol the Committee had prepared on this issue at its third session, 3/

1. Welcomes the decision of the Commission on Human Rights to establish an open-ended working group to elaborate as a matter of priority a draft optional protocol to the Convention on the Rights of the Child 1/ and to use as a basis for its discussions the preliminary draft submitted by the Committee on the Rights of the Child;

2. Decides to submit, in the light of the invitation addressed to it by the Secretary-General, its comments on this important issue, for consideration by the working group;

3. Also decides to prepare such comments in the light of the thematic general discussion it had previously held on the question of "Children in armed conflicts" and to make available to the working group the relevant chapters of its reports on this same issue.

(b) Seventh session, recommendation 1

The Committee on the Rights of the Child,

Recalling its general discussion on the topic "Children in armed conflicts" and the recommendations adopted thereon,

Taking into consideration the attention paid by the General Assembly and the Commission on Human Rights to this question,

Recalling the decision of the Commission on Human Rights 4/ to establish a working group to elaborate a draft optional protocol to the Convention on the Rights of the Child 1/ on the involvement of children in armed conflicts, and to use as a basis for its discussions the preliminary draft submitted by the Committee,

Recalling also the support expressed by the World Conference on Human Rights for the Committee's recommendation that a major study be initiated on the means of improving the protection of children in armed conflicts,

Taking into consideration General Assembly resolution 48/157 of 20 December 1993, in which the Assembly requested the Secretary-General to appoint an expert to undertake a comprehensive study of this question,

1. Welcomes the appointment of Mrs. Graça Machel as the expert entrusted with the task of carrying out this study;

2. Also welcomes the opportunity of meeting Mrs. Machel and exchange views with her on the main areas to be covered by the study;

3. Decides to cooperate closely with Mrs. Machel in the preparation of this major study.

3/ E/CN.4/1994/91, annex.

4/ Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24 and Corr.1), chap. II, sect. A, resolution 1994/91.

2. Sixth session, recommendation 3

Sale of children, child prostitution and child pornography

The Committee on the Rights of the Child,

Recalling its general discussion on "Economic exploitation of children" and the recommendations adopted thereon,

Having considered the attention paid by the General Assembly and the Commission on Human Rights to the question of the sale of children, child prostitution and child pornography and the resolutions adopted by them in this field,

Taking note of the adoption by the Commission on Human Rights of resolution 1994/90 of 9 March 1994 entitled "Need to adopt effective international measures for the prevention and eradication of the sale of children, child prostitution and child pornography", 5/

Encouraged that the Commission on Human Rights in its resolution recognized the essential value of the Convention on the Rights of the Child 1/ and its effective implementation system at the national and international levels as an essential means to prevent and combat situations of sale of children, child prostitution and child pornography,

Encouraged also by the appeal to all States made in the resolution to adopt the necessary measures to eradicate more effectively the practices of the sale of children, child prostitution and child pornography,

Recalling the consideration given by the Committee to General Assembly resolution 48/156 of 20 December 1993 on the same issue, as reflected in the report of the Committee at its fifth session, 6/

Recalling also the importance it attaches to ensuring close cooperation with the Special Rapporteur on the sale of children, child prostitution and child pornography and to the various meetings held with him to exchange views on matters of common concern,

1. Takes note of the decision of the Commission on Human Rights 5/ to establish an open-ended working group responsible for elaborating, as a matter of priority, in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication;

2. Decides to submit, in the light of the invitation addressed to it by the Secretary-General, its comments on guidelines for a possible draft optional protocol for consideration by the working group;

3. Also decides to prepare such comments in the light of the thematic general discussion held on "Economic exploitation of children" and to make available to the working group the relevant chapters of its reports on this

5/ Ibid., resolution 1994/90.

6/ CRC/C/24, paras. 159-161.

issue, in order to ensure that due consideration is given by the working group to the recommendations included therein;

4. Reaffirms the important framework established by the Convention to deal with situations of the sale of children, child prostitution and child pornography, and in particular in order to improve the system of prevention, as well as the protection and rehabilitation of children, at the national, bilateral and multilateral levels;

5. Recalls that the World Conference on Human Rights in the Vienna Declaration and Programme of Action 2/ called upon States to integrate the Convention into their national action plans;

6. Stresses the decisive political commitment expressed by an unprecedented number of States to the effective implementation of the Convention;

7. Reaffirms that States parties should adopt all appropriate measures to ensure and respect the rights recognized in the Convention to each child without discrimination of any kind, the best interests of the child being their primary consideration and due weight being given to the views expressed by the child;

8. Stresses that the child affected by situations of sale, prostitution and pornography should be considered mainly as a victim and that all measures adopted should ensure full respect for his or her human dignity, as well as special protection and support within the family and society;

9. Encourages the working group, within the framework of its mandate, to consider the holistic approach of the Convention to the fundamental rights of the children, as a continuous source of inspiration;

10. Expresses the hope that the activities developed by the Committee, in particular in the field of the sale of children, child prostitution and child pornography, will be given due weight by the working group.

3. Participation and contribution to the Fourth World Conference on Women: Action for Equality, Development and Peace

(a) Eighth session, recommendation

The Committee on the Rights of the Child,

Recognizing the importance of maintaining effective communication and meaningful dialogue with United Nations bodies active in the field of human rights in general and children's rights in particular,

Considering the need to ensure its active participation in activities of relevance to its work which are taking place within the framework of the United Nations system-wide action,

Recalling its previous decision to be represented at, and actively contribute to, the preparatory process of the Fourth World Conference on Women: Action for Equality, Development and Peace, to take place at Beijing in September 1995,

Encouraged by the richness of the debate held at its eighth session during its thematic day of general discussion on the girl child,

Reaffirming the importance of the Convention on the Rights of the Child 1/ and of its implementation process in decisively improving the situation of girls around the world and ensuring the full realization of their fundamental rights,

Recalling that, as stressed by the World Conference on Human Rights, the human rights of women and the girl child are an inalienable, integral and indivisible part of human rights,

Recalling also that the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women 2/ have a complementary and mutually reinforcing nature, and recommending that they should be an essential framework for a forward-looking strategy to promote and protect the fundamental rights of girls and women and decisively to eradicate inequality and discrimination,

1. Reaffirms its decision to participate in the Fourth World Conference on Women: Action for Equality, Development and Peace, to take place at Beijing in September 1995, and requests the Secretariat to adopt all necessary measures to allow for such participation;

2. Decides to transmit the content of the general discussion on the girl child, as reflected in the report of its eighth session, to the secretariat of the Fourth World Conference on Women;

3. Requests that the platform for action for the Conference reflect throughout its different chapters the situation and the fundamental rights of the girl child, namely in the areas specifically addressed during the general discussion of the Committee, as reflected in the report of its eighth session;

4. Also requests that the Committee be clearly considered as an essential mechanism within the framework of the international machinery that will be entrusted with the task of monitoring and periodically reviewing the implementation of the platform for action.

(b) Ninth session, recommendation

The Committee on the Rights of the Child,

Reaffirming the importance it attaches to maintaining effective cooperation and meaningful dialogue with United Nations bodies active in the field of human rights in general and children's rights in particular,

Recognizing the need to ensure its active participation in activities of relevance to its work which are taking place within the framework of the United Nations system-wide action,

Recalling that, as stressed by the World Conference on Human Rights, the human rights of women and the girl child are an inalienable, integral and indivisible part of human rights, and should be integrated into the mainstream of United Nations system-wide activity and regularly and systematically addressed throughout the relevant United Nations organs and mechanisms,

1/ General Assembly resolution 34/180, annex.

Recalling also that the Convention on the Rights of the Child 1/ and the Convention on the Elimination of All Forms of Discrimination against Women 7/ have a complementary and mutually reinforcing nature, and that they constitute an essential framework for a forward-looking strategy to promote and protect the fundamental rights of girls and women and decisively to eradicate inequality and discrimination,

1. Reiterates its decision to be represented at, and actively contribute to, the Fourth World Conference on Women: Action for Equality, Development and Peace;

2. Decides to be represented by two of its members and urges the Secretariat to adopt all necessary measures to ensure their participation;

3. Also decides to continue to follow closely the drafting process of the platform for action with a view to ensuring that the situation and the fundamental rights of the girl child are clearly reflected throughout the document and adequately addressed in the relevant separate chapter included therein;

4. Reaffirms the importance of also including the Committee as an essential mechanism within the framework of the international machinery to be entrusted with the task of monitoring and periodically reviewing the implementation of the platform for action.

4. United Nations Conference on Human Settlements
(Habitat II)

Eleventh session, recommendation

The Committee on the Rights of the Child,

Reaffirming the importance it attaches to maintaining effective cooperation and meaningful dialogue with United Nations bodies active in the field of human rights and in areas of importance to the realization of children's rights,

Recognizing the need to ensure its active participation in activities of relevance to its work which are taking place within the framework of the United Nations system-wide action,

Stressing the importance of ensuring the involvement of the Committee in the United Nations Conference on Human Settlements (Habitat II) and in its preparatory process,

Recalling the importance of the right to housing as an illustration of the indivisibility and interdependence of children's human rights,

1. Welcomes the participation of the Committee in the Expert Group Meeting on the Human Right to Adequate Housing, organized by the Centre for Human Rights and the United Nations Centre for Human Settlements (Habitat) as well as the attention paid by the Meeting to the specific situation of children;

2. Also welcomes the decision of the United Nations Children's Fund to organize, in cooperation with the United Nations Centre for Human Settlements (Habitat), an expert seminar on children's rights, housing and neighbourhood,

which will take as a basic reference the principles and provisions of the Convention on the Rights of the Child; 1/

3. Decides to be represented by one of its members and urges the Secretariat to adopt all necessary measures to ensure such participation;

4. Also decides to submit a written contribution to the United Nations Conference on Human Settlements (Habitat II) and to follow closely the drafting process of the Habitat agenda with a view to ensuring that the situation and the fundamental right to an adequate housing of children are clearly reflected in the document;

5. Stresses the importance of ensuring the participation of a joint delegation of human rights treaty bodies in the Conference as a means to reinforce the human rights component in the deliberations of and follow-up to the Conference.

D. Advisory services and technical assistance

Seventh session, recommendation 3

Advisory services and technical assistance

The Committee on the Rights of the Child,

Recognizing the decisive role of the programme of advisory services and technical assistance of the Centre for Human Rights in the promotion of human rights in general and children's rights in particular,

Recognizing also that, as stressed by the World Conference on Human Rights, such assistance should be made available on specific human rights issues, as in the case of the preparation of reports under human rights treaties, for the implementation of coherent and comprehensive plans of action for the promotion and protection of human rights or with a view to strengthening an independent administration of justice, in the light of applicable human rights standards adopted by the United Nations,

Recalling the importance it has systematically attached, in the light of article 45 of the Convention on the Rights of the Child, 1/ to the areas of technical advice or assistance designed to promote a growing awareness and a more effective implementation of this international instrument,

Reaffirming the importance of identifying specific areas where technical advice or assistance programmes would seem appropriate, following the consideration of a State party report, as well as of ensuring a system of periodic evaluation and follow-up to such programmes,

1. Reaffirms its willingness to continue to cooperate with the Centre for Human Rights, other relevant bodies within the United Nations system as well as other competent bodies, including non-governmental organizations;

2. Welcomes the invitation addressed by the Commission on Human Rights to human rights bodies, including the Committee, to indicate in their recommendations proposals for specific projects to be realized under the programme of technical assistance and advisory services of the Centre for Human Rights, such as the organization of seminars and training courses and the

drafting of basic legal texts in conformity with international conventions on human rights;

3. Decides to continue identifying the main areas where technical advice or assistance would seem appropriate to foster the implementation of the Convention on the Rights of the Child and to indicate them in the preliminary or concluding observations adopted following the consideration of States parties reports;

4. Also decides to bring the recommendations it may adopt in this regard to the consideration of the concerned bodies, including United Nations organs, the specialized agencies and other competent bodies, as well as to the programme of technical assistance and advisory services of the Centre for Human Rights.

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

1. As at 26 January 1996, the closing date of the eleventh session of the Committee on the Rights of the Child, there were 187 States parties to the Convention on the Rights of the Child. The Convention was adopted by the General Assembly in resolution 44/25 of 20 November 1989 and opened for signature and ratification or accession in New York on 26 January 1990. It entered into force on 2 September 1990, in accordance with the provisions of its article 49. A list of States that have signed, ratified or acceded to the Convention is contained in annex I to the present report.

B. Sessions of the Committee

2. The Committee has held six sessions since the adoption of its previous biennial report. The reports of the Committee on its sixth (special), seventh, eighth, tenth and eleventh sessions are contained in documents CRC/C/29, CRC/C/34, CRC/C/38, CRC/C/43, CRC/C/46 and CRC/C/50, respectively.

C. Membership and officers of the Committee

3. In accordance with article 43 of the Convention, the Fifth Meeting of the States Parties to the Convention was convened on 21 February 1995 at United Nations Headquarters. The following five members of the Committee were elected for a term of four years beginning on 28 February 1995: Mrs. Akila Belembaogo, Mr. Thomas Hammarberg, Mrs. Judith Karp, Mr. Youri Kolosov and Ms. Sandra Prunella Mason. The list of the members of the Committee, together with an indication of the duration of their term of office, appears in annex II to the present report.

4. The officers elected by the Committee at its fourth session continued to hold office at the sixth, seventh and eighth sessions. They were Mrs. Hoda Badran (Egypt), Chairperson; Mrs. Akila Belembaogo (Burkina Faso), Mr. Thomas Hammarberg (Sweden) and Ms. Sandra Prunella Mason (Barbados), Vice-Chairpersons; and Mrs. Marta Santos Pais (Portugal), Rapporteur.

5. At its 211th meeting, on 22 May 1995, the Committee elected the following officers for a term of two years in accordance with rule 16 of its provisional rules of procedure:

Chairperson: Mrs. Akila Belembaogo (Burkina Faso)

Vice-Chairpersons: Mrs. Flora C. Eufemio (Philippines)
Mr. Thomas Hammarberg (Sweden)
Mrs. Marilia Sardenberg (Brazil)

Rapporteur: Mrs. Marta Santos Pais (Portugal)

D. Adoption of the report

6. At its 287th meeting, on 26 January 1996, the Committee considered the draft of its third biennial report, covering its activities at the sixth to eleventh sessions. The report was adopted unanimously by the Committee.

III. REPORTS BY STATES PARTIES UNDER ARTICLE 44
OF THE CONVENTION

A. Submission of reports

7. The status of submission of reports by States parties under article 44 of the Convention as at 26 January 1966, the closing date of the eleventh session of the Committee, appears in annex III to the present report.

B. Consideration of reports

8. During its sixth to eleventh sessions, the Committee considered the initial reports of Argentina, Belgium, Burkina Faso, Canada, Chile, Colombia, Croatia, Denmark, Finland, France, Germany, Holy See, Honduras, Iceland, Indonesia, Italy, Jamaica, Jordan, Madagascar, Mongolia, Nicaragua, Norway, Pakistan, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Senegal, Spain, Sri Lanka, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Yemen and Yugoslavia.

9. The following section, arranged on a country-by-country basis according to the sequence followed by the Committee in its consideration of reports at its sixth to eleventh sessions, contains concluding observations reflecting the main points of the discussion and indicating, where necessary, issues that would require a specific follow-up.

10. More detailed information is contained in the reports submitted by the States parties and in the summary records of the relevant meetings of the Committee.

1. Concluding observations: Pakistan

11. The Committee considered the initial report of Pakistan (CRC/C/3/Add.13) at its 132nd to 134th meetings (CRC/C/SR.132-134), on 5 and 6 April 1994, and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

12. The Committee notes the State party's early ratification of the Convention on the Rights of the Child and its role as one of the six initiators of the World Summit for Children in 1990, which was essential to the promotion and protection of children's rights.

13. The Committee welcomes the fact that written responses were provided to the questions raised by the Committee before the session. It regrets that the State party report was not prepared in accordance with the guidelines on reporting.

14. On the basis of information provided in the initial report and from the dialogue ensuing from its consideration, the Committee feels that existing legislative and other measures are not sufficient to ensure the implementation of the Convention. At the same time, the Committee takes note of the statements made by the State party representative that further efforts will be made to address problems raised by the Committee. In view of this, the Committee requests that a progress report be submitted before the end of 1996.

(b) Positive factors

15. The Committee welcomes the fact that a national conference was organized in December 1991 to discuss priority areas of survival, protection and development of children. It has taken note with appreciation of the "Islamabad Declaration" adopted at that conference.

16. The Committee notes with satisfaction the positive support and encouragement the Government is giving to the South Asian Association for Regional Cooperation (SAARC) Decade for the Girl Child.

17. The Committee welcomes the comments made by the State party's delegation on the importance it attaches to the guidance offered by the Committee as to the steps to be taken to implement effectively the Convention with the assistance of, among others, international bodies and agencies and non-governmental organizations.

(c) Factors and difficulties impeding the implementation of the Convention

18. The Committee is aware that the rate of population growth in Pakistan is high and that almost half the population is under 18. It also notes that economic conditions have not been favourable and per capita income is relatively low. The influx of more than 3 million refugees from Afghanistan has placed a further strain on resources. Other difficulties noted by the Committee relate to the high level of illiteracy and the existence of traditional customs and values which have delayed efforts to combat discrimination against girls.

(d) Principal subjects of concern

19. The Committee is of the opinion that the broad and imprecise nature of the reservation made to the Convention raises deep concern as to its compatibility with the object and purpose of the Convention.

20. The Committee is of the view that due regard may not have been accorded in the preparation of the report to the possibility of conducting a comprehensive overview of the existing situation with regard to the realization of the rights of the child so as to provide the basis for carefully targeted strategies, including the establishment of priorities, as well as for monitoring progress made. Nor is it clear to what extent the process of reviewing the situation of children in Pakistan was designed to encourage and facilitate popular participation and public scrutiny of government policies.

21. The Committee also takes note of the complexities arising from the federal structure of government with regard to the delineation of responsibilities between the federal and provincial levels; the lack of administrative coordination appears to be a serious problem. Another area of concern is the lack of consistency and clarity between some of the laws and their application within and between the provinces.

22. While the Committee takes note of the State party's statement that much of the national legislation is not in contradiction with the rights of the child as contained in the Convention, it is concerned that several rights are not recognized in national law. In particular, the legislation does not appear to ensure that all children, including non-citizens, are protected by the rights guaranteed under the Convention. In addition, the Committee notes the non-compatibility of certain areas of national legislation with the provisions

and principles of the Convention, including the punishment of flogging and the death penalty and life imprisonment for children below the age of 18.

23. The Committee is concerned that insufficient attention seems to have been paid to the provisions of article 4 of the Convention, namely in the field of budgetary allocations and in view of the division of responsibilities between the federal and provincial levels. The Committee notes that international agencies have questioned the present balance of resource allocations in the State party between the social and other sectors, including defence.

24. The Committee expresses its concern about the apparent low level of awareness amongst the general public, including children, and professionals as to the provisions and principles of the Convention.

25. The Committee observes that sufficient attention does not appear to have been given to the implementation of the general principles of the Convention, namely its articles 2, 3, 6 and 12, in guiding the measures to be taken to make all the rights of the child a reality.

26. The Committee is deeply concerned at the situation of girl children as regards, on the one hand, the effect of legislation in place, measures adopted, and practices and customs that serve to discriminate against girl children, such as early marriage, and, on the other hand, the insufficient attention accorded to their schooling.

27. Discrimination against disabled children is also a matter of concern to the Committee.

28. The Committee is concerned to note that national health plans appear to emphasize the training of doctors rather than nurses and other health personnel, including paramedics. Its attention has also been drawn to the apparent lack of a clear division of responsibilities between the provincial and federal levels for the development of a strong primary health-care system.

29. The Committee is seriously concerned about the effectiveness of measures to attain the goal of primary education for all, particularly for girls.

30. The Committee emphasizes that it is very much concerned about the system of administration of juvenile justice and its non-compatibility with the provisions of the Convention, including articles 37, 39 and 40, and other relevant United Nations standards in this field, namely the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

31. The Committee is seriously alarmed at the reports of the forced labour of children, the exploitation of child labour in the informal and agriculture sectors and the trafficking of children which have been brought to its attention.

(e) Suggestions and recommendations

32. The Committee expresses the firm hope that the State party will review its reservation with a view to withdrawing it.

33. While noting the information contained in the report that a review of the conformity of national legislation with the Convention has been undertaken, the Committee encourages the State party to continue to scrutinize carefully legislative and other measures at both the federal and provincial levels to ensure their full conformity with the principles and provisions of the Convention, in a comprehensive and holistic manner. The hope is also expressed that, in this endeavour, the State party will take into account the Committee's concerns, particularly its recommendations with regard to the abolition of flogging and capital punishment for children under the age of 18, and that deprivation of liberty should only be used as a measure of last resort and for the shortest period of time, as well as the suggestions made in respect of the definition of the child, for instance concerning the age of criminal responsibility.

34. The Committee encourages the State party to undertake a thorough review of its national plan of action on children. It is recommended that the goals of the plan should be achieved, measurably, within a specific time-frame and that the Convention should be fully integrated into the plan.

35. The Committee emphasizes the importance and value of setting up a coordinating mechanism with the mandate of determining priorities and regularly monitoring and evaluating progress in the implementation of the rights of the child at the federal, provincial and local levels. As a first step in this direction, the Committee suggests that the State party consider the possibility of setting up an interministerial committee or similar body with political authority to review initially and determine appropriate action to follow up on the observations made during the constructive dialogue between the State party and the Committee.

36. The best interests of the child is a guiding principle in the implementation of the Convention, including its article 4. In this connection, the Committee notes the importance, in reviewing budget allocations to the social sector, both at the federal and provincial levels, of implementing that principle and ensuring that the maximum amount of resources are made available for children's programmes.

37. In the view of the Committee, measures must be taken to make the provisions and principles of the Convention widely known among adults and children alike. To assist in these efforts, it is suggested that political, religious and community leaders be encouraged to take an active role in supporting efforts to eradicate traditional practices or customs that discriminate against children, particularly the girl child, or are harmful to the health and welfare of children. In addition, it is recommended that training about child rights should be given to relevant professional groups. Law enforcement personnel, including police officials and judges, should be aware of the provisions of the Convention, especially those relating to the system of the administration of juvenile justice.

38. The Committee also recommends that the State party should develop awareness-raising and training programmes to combat violence against children and prevent their abuse, neglect, abandonment and ill-treatment. Such programmes should be addressed, among others, to parents, teachers and law enforcement officials. Consideration should also be given to the establishment of effective complaints procedures in such cases.

39. The Committee encourages the Government to continue taking measures to strengthen the primary health-care system. The Committee would like to see

greater emphasis on family education, including family planning, and encourages the training of community health-care workers to assist in these tasks. The Committee also suggests that an outreach programme be developed at the community level to address issues relating to disabled children, in view of their particular vulnerability.

40. In line with international recommendations, the Committee wishes to emphasize the importance of focusing attention on improving the provision and quality of education, especially in view of its potential benefit for addressing various concerns, including the situation of girls and the incidence of children at work. The Committee encourages the Government to consider taking active and urgent measures to tackle the problems of the low enrolment of girls in school, the high incidence of school drop-out, and illiteracy, especially of girls and women. Attention is drawn to the possibility of benefiting from the activities of women's groups to improve access to education for girls at the community level.

41. The Committee suggests that the system of the administration of juvenile justice be reviewed to ensure its compatibility with the provisions and principles of the Convention. Technical advice and assistance in this regard could be sought from the programme of advisory services and technical assistance of the Centre for Human Rights.

42. The Committee recommends that the State party evaluate thoroughly the adequacy of measures taken to deal with issues of the exploitation of children. In the light of the legislation recently adopted in this area, namely the Employment of Children Act and the Bonded Labour System (Abolition) Act, as well as the conclusions of the Asian Regional Seminar on Children in Bondage, held at Islamabad, the Committee would like to emphasize the importance of measures to be taken for their enforcement, particularly through the establishment of complaints and inspection procedures and vigilance committees. A rehabilitation programme for children released from bonded labour is also recommended. The Committee also recommends that greater attention be given to the issues of the employment of children in the informal sector and in agriculture and that measures be taken to address these issues. The Committee believes that technical advice, particularly from the International Labour Organization (ILO), may be appropriate with regard to these matters.

43. The Committee acknowledges the willingness the State party has shown for many years to accept refugees, particularly from neighbouring countries, and expresses the hope that the Federal Government will continue to grant refugee status to children - and their families - as such needs arise in the future, and to ensure at the same time a comprehensive system of registration.

44. The Committee draws attention to the provisions of article 45 (b) of the Convention relating to the provision of technical assistance and advice, and encourages the Government to continue its cooperation with intergovernmental and non-governmental organizations for improvement of the situation of children. Moreover, the Committee encourages the Centre for Human Rights, the United Nations Children's Fund (UNICEF), ILO and other interested organizations and agencies to provide, if requested, assistance and advice to the State party for its programmes to implement the Convention.

45. Finally, the Committee welcomes the undertaking by the State party's delegation that responses will be submitted to the questions that remained unanswered during the dialogue. It also welcomes the invitation addressed to members of the Committee to visit Pakistan. It proposes that a progress report

on the implementation of the Convention, in conformity with the guidelines on reporting and taking into account the observations made during the dialogue between the Committee and the State party, be submitted to the Committee before the end of 1996.

2. Concluding observations: Burkina Faso

46. The Committee considered the initial report of Burkina Faso (CRC/C/3/Add.19) at its 135th to 137th meetings (CRC/C/SR.135-137), on 7 and 8 April 1994, and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

47. The Committee expresses its appreciation to the State party for its report, which has been prepared in conformity with the Committee's guidelines, and for the submission by the Government of Burkina Faso of written replies to its list of issues. It notes with satisfaction that the supplementary information provided by the delegation made it possible to engage in a frank and constructive dialogue with the State party.

(b) Positive factors

48. The Committee welcomes the measures undertaken by the Government of Burkina Faso since the entry into force of the Convention on the Rights of the Child in 1990 to promote and protect the rights of the child. It notes the adoption by the Government of Burkina Faso of the national plan of action and the establishment of the follow-up and Evaluation Committee to monitor its implementation; the adoption of legislative measures prohibiting female circumcision and the setting up of a National Committee to Combat Female Circumcision; and the announced revision of penal and labour legislation, which will, inter alia, bring the national law into conformity with the international standards for the protection of the rights of the child set forth in the Convention.

49. The Committee appreciates very much the willingness and the readiness of the Government of Burkina Faso to cooperate with various intergovernmental and non-governmental institutions in the field of the promotion and protection of the rights of the child in accordance with the standards set forth in the Convention. The efforts made by the Government to involve, at the national and local levels, customary and religious leaders in the implementation of the rights of the child are also appreciated.

(c) Factors and difficulties impeding the application of the Convention

50. The Committee is aware of the difficulties encountered by Burkina Faso, particularly those associated with the low level of adequate resources, and the implementation of the structural adjustment policies and the recent devaluation of the Communauté financière africaine (CFA) franc. Certain traditional practices and customs, prevailing particularly in rural areas, also create difficulties for the application of the provisions of the Convention. The Committee notes that the Government of Burkina Faso is well aware of the existing difficulties impeding the implementation of the Convention and much appreciates the frankness and self-critical approach of the report in this respect. The Committee, furthermore, notes the commitment expressed by the Government to do everything, through national as well as international actions,

in such a difficult situation, to ensure that children's problems are treated with the highest possible priority.

(d) Principal subjects of concern

51. The Committee expresses its concern about the negative effects of poverty and structural adjustments on the situation of children in Burkina Faso, as illustrated by the high rate of infant mortality, malnutrition, as well as the low level of health services and school attendance.

52. The lack of adequate mechanisms for the collection of data on the situation of children is also a matter of concern.

53. The Committee expresses its serious concern at the persistence of discrimination against girls and women. The Committee is concerned at the low school attendance and high drop-out rates among girls, especially at the primary level, and at the continuing practices of female circumcision, forced marriages and domestic violence, as well as the low coverage and acceptance of family planning programmes.

54. The Committee is also concerned about the persistence of some discriminatory social attitudes towards vulnerable groups of children, including those born out of wedlock and disabled children. The lack of adequate recourse and complaints procedures for children, victims of cruel treatment, including domestic violence, for cultural as well as material reasons, is also a matter of concern.

55. The Committee feels that the vaccination programmes are not adequate, both in terms of the range of vaccines offered and the groups covered, and do not correspond to the real needs, especially in rural areas.

56. The Committee notes that the sanctions set forth in the legislation as regards juvenile offenders, especially in cases carrying the death penalty or life imprisonment, reduced respectively to life imprisonment or to 20 years' imprisonment, are excessively high. Harsh sentences, as well as the occurrence of arbitrary detention of juveniles and the admittedly very difficult conditions of detention, are not in conformity with the provisions of articles 37 and 40 of the Convention.

57. The Committee also expresses its concern about the lack of adequate training provided to law enforcement officials and judicial personnel in the light of article 3 of the Convention.

58. The Committee is also concerned about the lack of adequate protection provided to child workers, in particular those employed in agriculture, domestic service and the informal sector.

(e) Suggestions and recommendations

59. The Committee recommends that a comprehensive strategy be elaborated and effectively implemented by the Government of the State party to eradicate the existing discrimination against girls and women. In that context, special efforts should be made to prevent existing practices of forced marriage, female circumcision and domestic violence. More attention should be paid to the wider dissemination of knowledge about modern methods of family planning.

60. The Committee also recommends that special efforts should be made by the Government to pursue the process of bringing the existing legislation into line with the provisions of the Convention and to take fully into account the interests of the child in the course of drafting new legislation, including through the possibility of considering a comprehensive legislative act on the rights of the child. The penal and labour codes, now under revision, should be brought into line with the relevant provisions of the Convention.

61. The Committee recommends that the personnel dealing with children be provided with adequate training, with particular emphasis being placed on the provisions of the Convention.

62. The Committee also suggests that part of the training of law enforcement personnel, judges and other relevant personnel be devoted to an understanding of international standards on juvenile justice, including the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The national penitentiary system should be reformed to assure appropriate treatment of children deprived of their liberty, including through non-institutional measures.

63. The Committee, being aware of the lack of necessary financial resources to implement some of the recommendations formulated above, strongly recommends that the State party consider requesting assistance from the Centre for Human Rights, under its programme of advisory services and technical assistance, in the field of the administration of juvenile justice. It is also suggested that support from the international community be made available, in particular in the fields of legislative review, training of law enforcement personnel, judges and other administration of justice officials, and for the development of an adequate system for the collection of data on the situation of children.

3. Concluding observations: France

64. The Committee considered the initial report of France (CRC/C/3/Add.15) at its 139th to 141st meetings (CRC/C/SR.139-141), on 11 and 12 April 1994, and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

65. The Committee notes with satisfaction the prompt ratification of the Convention on the Rights of the Child by the State party and the preparation of the initial report which is very comprehensive and closely follows the Committee's guidelines.

66. The Committee wishes to express its appreciation for the presence of a high-level delegation from the State party, including officials from ministries directly involved in the implementation of the Convention. The Committee hopes that the exchange of views held with the delegation of the State party and the decision of the Government to make its initial report widely available will contribute to an open discussion on children's rights at the national level.

(b) Positive factors

67. The Committee is particularly encouraged by the State party's commitment to reflect on and review the measures taken and policy chosen to implement the

provisions and principles of the Convention in the light of the changing reality of the situation of children.

68. The Committee recognizes the importance of the annual meeting held between the public authorities and the non-governmental community on the anniversary of the adoption of the Convention by the General Assembly. The Committee stresses the value of such a meeting in launching a fruitful dialogue between the Government and the "civil society", as well as in ensuring a serious evaluation of the governmental policies adopted for the promotion and protection of the rights of the child.

69. The Committee also welcomes the decision taken by the Government to submit an annual report to the Parliamentary Assemblies on the implementation of the Convention and on its policies in relation to the situation of children in the world. This procedure will contribute to emphasizing the importance of the principle of the best interests of the child, which is a primary consideration to be taken into account in all actions concerning children, including those undertaken by legislative bodies.

70. The Committee welcomes the measures taken by the State party to recognize the right of the child to have his or her views heard and taken into account in proceedings affecting the child. Note is taken of the various initiatives to inform children about their rights and to encourage children to express their opinion through special councils established within schools and the local community.

71. The Committee is further encouraged by the steps taken to train certain professional groups about the rights of the child. It also commends the initiatives undertaken by members of the legal profession to establish a system of legal information and assistance to children in the field of juvenile justice.

72. The Committee notes the active participation of France in international cooperation activities, including in the area of development assistance.

73. The Committee also notes the significant contribution being made by the State party to the international campaign addressing the issue of the hazardous impact of anti-personnel land-mines on the civilian population and, in particular, on children.

(c) Principal subjects of concern

74. The Committee notes with concern the reservation made by the State party to article 30 of the Convention. The Committee wishes to emphasize that the Convention seeks to protect and guarantee the individual rights of children, including the rights of children belonging to minorities.

75. In view of article 55 of the Constitution, referred to in the core document submitted by the State party to the human rights treaty bodies, which provides that the norms of international human rights instruments are self-executing in France and may be invoked before national courts, the Committee is unclear as to the status of the Convention in the national legal framework, namely in the light of recent decisions adopted by the Court of Cassation in this regard.

76. The Committee is concerned about the need to take sufficient safeguards against the possible negative social impact of decentralization, for instance, in order to avoid the risk of aggravated disparities between the regions, in

regard to the standard of living, and to minimize the possible adverse effects on the enjoyment of economic and social rights by children, especially those belonging to the most vulnerable groups.

77. Regarding the right of the child to know his or her origins, including in cases of a mother requesting that her identity remain secret during the birth and declaration of the birth, adoption and medically assisted procreation, the Committee is concerned that the legislative measures being taken by the State party might not fully reflect the provisions of the Convention, particularly its general principles.

78. The Committee is concerned at the situation of unaccompanied children who arrive "unexpectedly in France to obtain refugee status" (as referred to in para. 389 of the State party's report). It is also concerned about the lack of a comprehensive system of protection involving the social and/or judicial authorities which would apply to those children while they are subject to the jurisdiction of the State party, as well as in the process of returning to their country of origin.

79. The Committee is also concerned that legislation and practice relating to arrest, detention, sentencing and imprisonment within the system of the administration of juvenile justice might not be fully consistent with the provisions and principles of the Convention, and in particular articles 37 and 40.

(d) Suggestions and recommendations

80. The Committee wishes to encourage the State party to consider reviewing its reservation to article 30 of the Convention with a view to withdrawing it.

81. The Committee also wishes to suggest that the State party envisage the establishment of a permanent mechanism of coordination, evaluation and follow-up for policies taken to implement the Convention.

82. The Committee wishes to emphasize the importance of close cooperation between the central Government and the local authorities, including on budgetary matters, to minimize disparities which may arise between the regions as to the provision of services. It also emphasizes the value of adopting a comprehensive approach to the implementation of the rights of the child which is both effective and consistent with the provisions and general principles of the Convention, particularly the best interests of the child and non-discrimination which apply irrespective of budgetary resources.

83. While the Committee notes with satisfaction the measures in place to guarantee minimum social income and to improve access to housing for the most disadvantaged groups, it recommends that the State party in this period of economic recession carefully monitor the enjoyment of the individual rights of children. In this connection, it is suggested that the necessary measures be taken to ensure the full realization of the economic and social rights of children belonging to the poorest and most vulnerable sectors of society, including those living in suburbs, the children of migrant workers and socially marginalized children.

84. The Committee draws the attention of the State party to the recommendations of United Nations organs and specialized agencies which emphasize the prioritization of social programmes within the framework of development assistance. It would like to suggest that the State party consider these

aspects of the promotion of social development within its international cooperation programme.

85. Within the framework of legal reform and in the light of the basic principles of the Convention, particularly its article 2, the Committee suggests that the State party consider reviewing the present law on minimum age for marriage.

86. The Committee would like to suggest that further consideration be given to ways of encouraging the expression of views by children and those views being given due weight in the decision-making processes affecting their lives, in particular within school and the local community.

87. The Committee would also like to suggest that further awareness-raising and educational measures be undertaken to prevent child abuse and the physical punishment of children.

88. In view of the fact that, following the submission of the initial report, important legislation has been adopted, namely in the fields of nationality, entry and residence of foreigners, refugees and asylum-seekers, as well as family reunification, the Committee would appreciate receiving, by 1 October 1994, additional written information on those areas and on the way the new legislative measures might affect the enjoyment of the rights of the child as recognized by the Convention, in particular its articles 7, 9, 10 and 22 and taking into due account the general principles of the Convention.

89. The Committee encourages the State party to consider its legislation in the field of the administration of juvenile justice, in particular with regard to children deprived of their liberty, in order to ensure that deprivation of liberty is used only as a measure of last resort and for the shortest period of time, in the light of the provisions of the Convention, notably its articles 37, 39 and 40, as well as relevant international standards, namely the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

90. In the light of the best interests of the child and other provisions of the Convention, as well as those of ILO Convention No. 138 to which France is a party, the Committee believes that the employment of children who have not yet completed their compulsory schooling, as admitted by the legislation in the case of domestic servants and family enterprises, including in the area of agriculture, deserves reconsideration by the State party. It also encourages the State party to review the access by children to activities in the fashion industry in order to ensure that this only takes place on the basis of a case-by-case approach and in the light of the best interests of the child.

91. In light of the importance the Committee attaches to the monitoring of the implementation of the Convention at the national level, it would appreciate receiving a copy of the annual reports to be submitted by the Government to the Parliamentary Assemblies on the policies adopted to ensure the realization of the rights of the child recognized by the Convention.

4. Concluding observations: Jordan

92. The Committee considered the initial report of Jordan (CRC/C/8/Add.4) at its 143rd to 145th meetings (CRC/C/SR.143-145), on 13 and 14 April 1994, and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

93. The Committee notes with appreciation the submission of the initial report of Jordan. While the report provides comprehensive information on the legislation and programmes that give effect to the rights recognized in the Convention on the Rights of the Child, it provides less information on factors and difficulties impeding the implementation of the Convention and the actual enjoyment by children of their rights. Although some written replies were provided to the questions raised by the Committee before the session, further information, including statistics, would have been particularly useful with regard to general measures of implementation, the application of the principle of non-discrimination and the enforcement of civil rights.

94. The Committee notes with satisfaction that the additional information provided by the delegation made it possible to understand better the situation of children in Jordan. The Committee also expresses its appreciation of the delegation's constructive attitude towards non-governmental organizations. Furthermore, it appreciates the assurances given that the Committee's comments together with any unanswered questions would be transmitted to the Government for appropriate action.

(b) Positive factors

95. The Committee notes with satisfaction the steps taken during the period under review to bring domestic law into line with the Convention, through the enactment of new laws or the adoption of specific programmes aimed at promoting and protecting the rights of the child. It welcomes the fact that a study is currently being undertaken to review national legislation and its compatibility with the provisions and principles of the Convention and that a draft personal status act is also being studied with the same goal.

96. The Committee particularly welcomes the notable progress achieved in recent years in such crucial issues as infant mortality and life expectancy, which has demonstrated the authorities' commitment to allocate substantial resources for social expenditures, despite stringent economic difficulties.

(c) Factors and difficulties impeding the implementation of the Convention

97. The Committee takes note of the economic and social difficulties that have been faced by Jordan in the aftermath of the Gulf crisis and have, consequently, adversely affected the situation of children. The presence of a very large number of refugees, particularly of Palestinian origin, constitutes a further difficulty impeding the implementation of the Convention.

98. The Committee also notes that the survival of certain traditions and customs sometimes constitutes an obstacle to the implementation of the Convention, particularly with regard to the equality of boys and girls.

(d) Principal subjects of concern

99. The Committee is concerned that the broad nature of the reservations made to articles 14, 20 and 21 of the Convention by the State party may affect the implementation of the rights guaranteed in these articles and may raise questions about the compatibility of the reservations with the object and purpose of the Convention.

100. The Committee is concerned about the insufficient steps taken in the framework of legal reform to bring existing legislation into full conformity with the Convention, including in the light of the basic principles of the Convention, in order to overcome discrepancies or lacunae in national legislation, particularly in laws relating to marriage age and the administration of juvenile justice.

101. The Committee is concerned that, although the National Charter guarantees equality between the sexes in Jordan, discriminatory attitudes and prejudices are still vivid within the society, and that there are still disparities in practice, in particular with regard to inheritance rights, the right to leave the country and the acquisition of Jordanian nationality. In this last respect, the Committee is concerned that, in the light of Jordanian legislation, cases of statelessness might arise. It is also concerned that the national legislation with respect to the minimum age for marriage may not be fully compatible with the non-discrimination provisions of the Convention, as reflected in its article 2.

102. The Committee expresses concern at the uncertainty in the status of children, and the possible ensuing discrimination, resulting from the coexistence of different personal status regulations according to the child's religion. The Committee takes note of the undertaking in this context by the delegation to provide further information in regard to the rights of children of the Baha'i faith.

103. Another issue relates to groups of refugee children and the concern that they may not be given full protection in view of the fact that the Kingdom of Jordan has not yet ratified relevant international refugee treaties.

104. The Committee understands that there are under-age children at work in Jordan and that some children in remote areas are even kept from school for such reasons. The Kingdom of Jordan has not acceded to ILO Convention No. 138 and other conventions on the minimum age of employment relating to the protection of children and young persons at work.

105. The Committee is concerned about the lack of adequate measures taken by the authorities to evaluate and address the problem of domestic violence.

106. In the field of the administration of juvenile justice, the Committee is concerned about the application of article 92 of the Penal Code, in accordance with which, although no one under 18 years of age may be held criminally responsible, criminal proceedings may be brought against children over 7 years of age. It also deplores the fact that children taken into custody, though not convicted of any criminal offence, may nevertheless be kept in detention in the same premises as convicted persons.

(e) Suggestions and recommendations

107. The Committee expresses the hope that the Government will consider the possibility of reviewing its reservations to articles 14, 20 and 21 of the Convention, with a view to the withdrawal of these reservations.

108. Special efforts should be made to bring the existing legislation fully into line with the principles and provisions of the Convention, including in the context of the preparation of a new personal status act.

109. The Committee suggests that the Government envisage the establishment of a national mechanism with the purpose of coordinating the implementation of the Convention and the monitoring thereof. Coordination between the various governmental agencies and non-governmental organizations involved in the implementation of the Convention and the monitoring thereof should be strengthened.

110. Measures should be taken to develop mechanisms for the determination of appropriate indicators and for the collection of statistical data and other information on the status of children as bases for designing programmes to implement the Convention.

111. The Committee suggests that law enforcement officials, judges, other administration of justice officials and, more generally, members of professions concerned with the implementation of the Convention be provided with adequate training on the basic principles and norms contained in the Convention.

112. Measures should be taken to prevent and eliminate discriminatory attitudes or prejudice and to ensure effective protection against discrimination, particularly with regard to the girl child and children born out of wedlock, as well as any differentiation resulting from the status of parents.

113. A study on the extent and nature of domestic violence is recommended. Appropriate follow-up measures should be envisaged, not least in the field of family education and social support.

114. In line with article 4 of the Jordanian Education Act and article 29 of the Convention, emphasis should be given in school education to the important values of peace, tolerance and respect of human rights. The active participation of children should be encouraged. Similarly, efforts should be undertaken to develop new channels, including membership of associations, through which children may make their views known and have them taken into account.

115. Steps should be taken to improve school attendance for children living in remote areas, to reduce the school drop-out rate and to raise the level of literacy, particularly among females. School curricula should be adjusted to make room for education about the Convention.

116. In order to ensure that all refugee children or children seeking refugee status enjoy their rights under the Convention, the Committee recommends that the Kingdom of Jordan consider the possibility of ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

117. The Committee recommends that the State party envisage undertaking a comprehensive reform of the system of juvenile justice and that the Convention and other international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, be seen as a guide in this revision. Attention should also be paid to measures for rehabilitation and social reintegration, in line with article 39 of the Convention.

118. The mechanism already established to monitor the situation of working children should be strengthened in order to assess the implementation of the Convention and to narrow the gap between the law and practice. Furthermore, the Committee encourages the efforts currently under way to prepare for accession to ILO Convention No. 138 and other conventions on the minimum age of employment relating to the protection of children and young persons at work.

119. The Committee recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country, particularly to officials and professionals working with children, parliamentarians, non-governmental organizations and the media.

5. Concluding observations: Chile

120. The Committee considered the initial report of Chile (CRC/C/3/Add.18) at its 146th to 148th meetings (CRC/C/SR.146-148), on 14 and 15 April 1994 and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

121. The Committee commends the State party for its comprehensive report, which has been prepared in conformity with the Committee's guidelines and reflects a forward-looking strategy, and for the submission of detailed written replies to its list of issues. It notes with satisfaction that the detailed additional information provided by the delegation and its involvement in national policies concerning children made it possible to engage in an open and constructive dialogue with the State party.

122. The Committee also notes with satisfaction that the report submitted by the State party is the result of a wide consultation, at the national level, between the public authorities and the non-governmental coalition on the rights of the child.

(b) Positive factors

123. The Committee welcomes the fact that the Convention on the Rights of the Child is self-executing in the State party and that its provisions may be, and in practice have been, invoked before the courts.

124. The Committee welcomes the measures undertaken by the Government of Chile in order to promote and to protect the rights of the child in accordance with the standards set forth in the Convention as well as the dynamic and self-critical approach of the Chilean Government towards its implementation.

125. It notes the adoption by the Government of Chile of the National Plan of Action in Favour of Children and the readiness of the Government to cooperate with all interested parties, both nationally and internationally, in implementing it.

126. The Committee also notes that during the period under review important steps have been undertaken at the legislative level with a view to harmonizing the national legislation with the provisions of the Convention, as well as establishment of monitoring mechanisms including the National Service for Minors (SENAME), a public service under the Ministry of Justice charged with assisting and protecting children and young people in particularly difficult circumstances.

127. The Committee also notes with satisfaction the priorities set by the Government and its serious efforts to face existing social problems, including in the fields of health and education, as well as to ensure the protection of the rights of disabled children.

128. The Committee welcomes the statement by the delegation of the State party that the Government of Chile is considering ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

(c) Factors and difficulties impeding the application of the Convention

129. The Committee notes that poverty, in spite of efforts by the Chilean Government, has affected a large number of children and has a constraining influence on the implementation of the provisions of the Convention.

130. The Committee further recognizes that the democratic Government has faced the need for major legal and administrative reforms in the aftermath of the period of non-democratic rule. The demands in the area of rehabilitation and social reintegration have also been considerable, not least in regard to children.

(d) Principal subjects of concern

131. The Committee is concerned with the fact that the decentralization process might lead to a deterioration in the quality of and effective access to health services and education, in particular for the most vulnerable groups of children.

132. The Committee expresses its concern at the existing geographical and social disparities in the enjoyment of the rights provided for under the Convention.

(e) Suggestions and recommendations

133. The Committee recommends that special efforts should be made by the Government to harmonize fully the existing legislation with the provisions of the Convention, as well as to ensure that the best interests of the child, as stipulated in article 3 of the Convention, is a primary consideration in all actions concerning children, including those undertaken by Parliament.

134. The Committee recommends that an overall national mechanism be set up with the mandate to assure continuing supervision and evaluation throughout the country of the implementation of the Convention, which is particularly important within the context of the realization by the Government of the decentralization programme.

135. The Committee recommends that the Government of the State party consider pursuing the measures adopted to fight situations of child ill-treatment. It stresses the importance of ensuring training activities for the professional groups concerned, as well as of developing mediation measures.

136. The Committee also recommends that a legal system of administration of juvenile justice be established in the light of the principles and provisions of the Convention, in particular articles 37 and 40, as well as other relevant United Nations standards, including the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Such a legal system should also address the important question of the minimum age of criminal responsibility, particularly in the light of the best interests of the child. In this respect, the Committee draws the attention of the State party to the availability of the programme of advisory services and technical assistance of the Centre for Human Rights.

137. Finally, the Committee recommends that the provisions of the Convention should be widely publicized among the general public and, in particular, among teachers, social workers, law enforcement officials, the staff in correctional facilities, judges and members of other professions who are concerned with the implementation of the Convention. The Committee particularly recommends that, in accordance with article 44, paragraph 6, of the Convention, the report submitted by the Chilean Government, the written replies to the Committee's list of questions, as well as the summary records of the consideration of the report and the Committee's concluding observations be made widely available to the public at large. In the same spirit, the Committee expresses the hope that the present concluding observations will inspire an open debate at the national level on the policies in the field of the rights of the child, including at the parliamentary level.

6. Concluding observations: Norway

138. The Committee considered the initial report of Norway (CRC/C/8/Add.7 and Corr.1 and 2) at its 149th to 151st meetings (CRC/C/SR.149-151), on 18 and 19 April 1994, and adopted, at its 156th meeting, on 22 April 1994, the following concluding observations.

(a) Introduction

139. The Committee expresses its appreciation to the State party for the report, which follows the Committee's guidelines, and for the supplementary information provided on Norway's development assistance policy. It also wishes to express appreciation to the State party for the submission of written replies to its list of issues as well as for the additional information provided during the course of the discussion, which enabled the Committee to engage in a frank and constructive dialogue with the representatives of the State party.

(b) Positive factors

140. The Committee appreciates the State party's firm commitment to promoting measures for the better implementation of the rights of the child both nationally and internationally. In this connection, it notes that Norway was the first country in the world to establish an ombudsman working for the benefit of children. It also notes the spirit of dialogue existing between the Government, the municipalities and the ombudsman and civil society including the non-governmental community. In addition, the Committee notes the importance the Government attaches to cooperation with these various bodies and organizations in assessing the progress achieved and the problems encountered, the better to determine the strategies needed to address issues as they arise.

141. The Committee also considers as especially noteworthy the fact that Norway is one of the countries most strongly emphasizing the priority of the social sector, both within its own development assistance programmes and through its participation in relevant international forums. Likewise, the Committee notes with interest the State party's support to the establishment of the research organization, Childwatch International, and its development of NORDEM, which aims to facilitate the offering of national expert assistance on, inter alia, human rights matters, in a spirit of dialogue and cooperation.

142. The Committee welcomes the steps taken by the Government of Norway to review its reservation to the Convention on the Rights of the Child with a view to its withdrawal. It also appreciates the concern expressed by the Government

as to reservations made by any State party that are incompatible with the object and purpose of the Convention as prohibited in the Convention's article 51.

143. Equally, the Committee notes with satisfaction that during the present period of economic recession, which is affecting many countries, and the progression towards decentralization of social services, the budgetary resources for child welfare programmes have been increasing in Norway. It also appreciates that a system of monitoring the policies and measures of municipalities with regard to their implementation of children's welfare programmes has been set in place through the County Governor reporting procedure.

144. The Committee takes note of the considerable efforts being made by the State party to combat trends towards intolerance against foreigners and to address the issues of racism and xenophobia, including through the involvement and participation of youth. It also welcomes the active role being taken by the State party in encouraging such approaches to facing these problems within forums at the regional level.

(c) Principal subjects of concern

145. The Committee takes note that a governmental committee report has proposed to amend the Constitution to include a special provision incorporating certain human rights treaties and that this suggestion does not cover the incorporation of the Convention.

146. The Committee notes that although an opting-out system exists for children wishing to abstain from compulsory religious education, this requires their parents to submit a formal request exposing the faith of the children involved and as such may be felt to be an infringement of their right to privacy.

147. Concerning the right of a child to know his or her origins, the Committee notes the possible contradiction between this provision of the Convention with the policy of the State party in relation to artificial insemination, namely in keeping the identity of sperm donors secret.

148. The Committee is concerned about some aspects of the practical application of the law and policy concerning children seeking asylum, particularly in relation to methods of interviewing children, including unaccompanied minors. Furthermore, it is concerned that the police may not be instructed to delay the expulsion of some members of the family in order to ensure that the whole family remains together and that undue strain on the children is avoided.

149. The Committee notes that all children who have had their asylum requests rejected but remain in the country have had their rights to health care and education provided *de facto* but not *de jure*. It is the view of the Committee that such services should be provided as a matter of principle according to the letter and spirit of articles 2 and 3 of the Convention.

(d) Suggestions and recommendations

150. The Committee wishes to encourage the State party to take the necessary steps for withdrawing its reservation to the Convention in the very near future and would like to be kept informed of developments on this matter.

151. In case the Government of Norway should decide to amend its Constitution to include therein a special provision on the incorporation of certain human rights

treaties, the Committee would like to encourage the incorporation of a reference to the Convention.

152. The Committee would like to suggest that the State party consider in its legislation the implications of article 37 (a) of the Convention and, in this connection, that it also pay attention to the definition of torture provided for in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Norway is also a party.

153. The Committee would like to suggest that the State party consider the possibility of strengthening the role of the Ministry of Children and Family Affairs, in relation to refugee children.

154. As part of the ongoing efforts to promote and protect the rights of the child, the Committee would like to suggest that the State party undertake or encourage research on various matters raised during the discussion, including the reasons for the relatively high number of suicides among young people in Norway and the development and use of indicators to monitor the progress or otherwise of the implementation of all the rights guaranteed under the Convention.

155. The Committee suggests that the particular difficulties facing, for instance, children in single-parent families might also deserve further study.

156. In connection with the State party's ongoing efforts to raise greater awareness of the Convention, the Committee is of the opinion that consideration should be given to incorporating education on the provisions and principles of the Convention in training programmes for various professional groups, including teachers, social workers, law enforcement personnel and judges.

157. The Committee also suggests that appropriate ways and means be used to target further publicity on the Convention, especially about those provisions and principles of the Convention relevant to the situation of particular groups of children, for instance, children in the system of administration of justice and the prevention of discrimination against children suffering from the acquired immune deficiency syndrome (AIDS) and the human immunodeficiency virus (HIV).

158. The Committee also welcomes the policies being pursued by the State party with regard to the promotion of human rights education, especially in view of General Assembly resolution 48/127 on the possibility of establishing a decade for human rights education, and encourages the State party to consider using this opportunity to promote the incorporation of education about the Convention in curricula for schoolchildren.

159. Equally, the Committee would like to suggest that the State party encourage measures further to involve and facilitate the participation of children in matters affecting them, especially at the local level.

160. The Committee suggests that the State party reconsider its policy on religious education for children in the light of the general principle of non-discrimination and the right to privacy.

161. The Committee suggests that the State party consider undertaking another comprehensive review of the policy in relation to children seeking asylum in the light of the principles and provisions of the Convention. In this connection, it is suggested that solutions should also be sought to avoid expulsions causing

the separation of families. It also suggests that the State party might wish to discuss further the provision of education and health services, including with respect to all children under its jurisdiction, in order to ensure that different standards of service do not arise between municipalities.

162. The Committee suggests that the State party consider reviewing its juvenile justice system in order to ensure that proceedings against persons under 18 years of age are fully compatible with the spirit of article 40, paragraph 3, of the Convention.

163. The Committee encourages the State party to continue making the substance of the Convention known to all children and adults in Norway and to translate materials relating to the Convention into the languages of major immigrant groups in Norway. It would also like to recommend that the State party prepare, in a special package, the report of the State party to the Committee, the summary records and concluding observations following the discussion in the Committee, as well as the list of issues and the written responses to them, and to make this available on as wide a basis as possible.

7. Concluding observations: Honduras

164. The Committee considered the initial report of Honduras (CRC/C/3/Add.17) at its 158th to 160th meetings (CRC/C/SR.158-160), on 27 and 28 September 1994, and adopted, at its 183rd meeting, on 14 October 1994, the following concluding observations.

(a) Introduction

165. The Committee expresses its appreciation to the State party for the report and the detailed written responses submitted by the Government of Honduras to the Committee's list of issues. The Committee welcomes the fact that these replies were self-critical and offered suggestions as to future priorities for action to be taken to improve the situation of children in Honduras. The Committee notes with particular satisfaction that the written replies were prepared in consultation with various entities, including non-governmental organizations, involved in implementing the rights of the child in Honduras.

(b) Positive factors

166. The Committee welcomes the commitment within the country to undertake measures to improve the implementation of the rights provided for under the Convention on the Rights of the Child. It takes note of the fact that the Government recognizes the problems facing the country and that major efforts are required to address them. In this regard, note is taken of the legislative reform envisaged, in particular, the draft minor's code and the proposal to make military service voluntary and to ensure that it does not take place before the age of 18. The revision of policy, including the greater priority being accorded to meeting the basic social needs of the poorer sections of the population, is also welcomed.

167. The Committee notes with satisfaction the positive support and encouragement the Government is giving to developing cooperation with the National Commissioner for the Protection of Human Rights and intergovernmental and non-governmental organizations in determining measures and priorities to improve the protection and promotion of the rights of the child in Honduras.

168. The Committee notes with interest the signing of the "Pact for children", an initiative aimed at strengthening the municipalities' involvement in the application and monitoring of the rights guaranteed under the Convention. The Committee acknowledges the State party's support to initiatives at the regional level, including through the Central American Parliament's Commission on the Child, to address issues relating to children, such as trafficking in children, addiction and child labour.

169. The Committee takes note of the initiative to collect information on the organizations working for and with children throughout the country. It also takes note of the initiative to map out the poorest areas of the country with a view to prioritizing the provision of basic services to the areas most in need.

(c) Factors and difficulties impeding the implementation of the Convention

170.¹ The Committee notes that the measures taken by the Government of Honduras to repay the external debt and to implement the structural adjustment programme have put a strain on the country's resources. The deteriorating economic situation in Honduras is causing a worsening in the living and social conditions of the country, so much so that about 60 per cent of the population lives in extreme poverty. It also recognizes that drought, floods and other ecological problems have had serious consequences for Honduran families, dependent on agriculture as a means of livelihood, to maintain an adequate standard of living and thus support themselves and their children.

(d) Principal subjects of concern

171. As almost 60 per cent of the Honduran population is under the age of 18, the country's worsening economic situation has had serious consequences for the children in Honduras. The Committee notes that the social inequalities existing in the country, including through the unequal distribution of income and land, have contributed to the considerable problems facing children in Honduras.

172. The Committee is concerned that the resources available for the implementation of the rights recognized in the Convention are insufficient to ensure adequate progress in improving the situation of children in Honduras.

173. The absence of a comprehensive strategy designed to promote awareness and understanding of the rights of the child among all adults and children in Honduras is noted.

174. The Committee is concerned that traditional attitudes prevailing in the country may not be conducive to the realization of the general principles of the Convention, including, in particular, article 2 relating to non-discrimination, including on the grounds of gender and ethnic origin, and article 12 relating to the respect for the views of the child.

175. Despite the measures taken by the Government of Honduras to improve and facilitate the registration of children, the Committee remains worried that difficulties persist in providing children in Honduras with the necessary registration certificates and that the absence of such basic documentation detailing the child's age and family affiliations may hamper the implementation of a child's other rights, including his/her access to public health services and to the necessary protection that a child should be accorded under the system of the administration of juvenile justice.

176. The Committee is concerned about the apparent inadequacy of the measures taken by the State party to ensure that its adoption procedures are conducted in accordance with the relevant provisions and principles of the Convention, in particular articles 3, 12 and 21.

177. The number of teenage pregnancies in Honduras is relatively high and the Committee, therefore, has serious doubts regarding the adequacy of family and sex education, particularly with regard to the general level of understanding and knowledge about family planning methods and the availability of family planning services. The Committee is also concerned that certain attitudes remain in society which hamper efforts to eradicate sexual abuse and exploitation.

178. The Committee notes that the lack of provision of and access to health services and facilities and clean water and sanitation is an extremely serious problem in rural areas. The Committee is also concerned at the prevalence of the malnutrition of children from the poorer and more disadvantaged sectors of the population, especially as regards the adverse effects of the insufficiency of nutritious food on the child's right to survival and a healthy development.

179. As recognized by the State party, the Committee is concerned that measures are lacking to implement the provisions of article 23 of the Convention relating to disabled children.

180. Notwithstanding the initiative taken by the State party to provide bilingual education to children in schools, the Committee is deeply concerned at the insufficiency of measures taken by the State party to implement the provisions of article 28 of the Convention concerning the right of the child to education, especially in view of the low level of enrolment and retention of children in schools and the lack of vocational training in schools, as well as the inadequacy of teacher-training programmes and teaching material.

181. The Committee is concerned about the system of the administration of juvenile justice as it works in practice in Honduras. In this regard it notes with particular concern that in the majority of departments in the State party juvenile judges have not been appointed and that there is a lack of training programmes for juvenile judges. The Committee is also concerned at the proposals to lower the age of criminal responsibility from 18 to 16.

182. The Committee expresses its deep concern at information it has received regarding the exploitation and abuse of girls working in the maquilas (assembly factories, mainly forming part of the textile industry).

(e) Recommendations and suggestions

183. The Convention must be seen as the framework for action to improve the condition of children. In this connection, the Committee wishes to emphasize the importance of the application of the Convention's general principles, as reflected in its articles 2, 3, 6 and 12, in guiding the action to be taken to implement the rights of the child. In particular, the Committee wishes to draw the attention of the State party to the significance of the provisions of article 3 of the Convention concerning the best interests of the child, inter alia in directing future discussions and decisions about the allocation and provision of resources for the implementation of the rights of the child.

184. The Committee recommends that the necessary mechanisms be established at the national level to ensure the ongoing monitoring of the implementation of the

rights guaranteed under the Convention. In this connection, the Committee suggests that the Government might wish to consider the possibility of according to the National Commission on the Rights of the Child the appropriate official status, including the possibility of constitutional status, as a means to enhance the effective functioning of this Commission. The Committee wishes to emphasize the importance of the participation and representation of various entities, including non-governmental organizations working with and for children, in any designated coordination and monitoring mechanism for the rights of the child. It is suggested that an annual report on the progress made in the implementation of the rights of the child should be prepared by the national monitoring mechanism and presented to Parliament. The Committee also recommends that systems for the collection of statistics and other data which would provide indications and trends as to the realization of children's rights should be further strengthened and developed.

185. The Committee recommends that the Government consider the possibility of organizing a meeting to discuss the matter of the availability of resources for the implementation of the rights recognized in the Convention, including within the framework of international cooperation. Participants in such a meeting could include members of the Committee, the donor community, the World Bank, the International Monetary Fund (IMF), UNICEF, other intergovernmental and non-governmental organizations.

186. The Committee is of the opinion that greater efforts are required to make the principles and provisions of the Convention widely known to and understood by adults and children alike, including article 12 of the Convention relating to the right of the child to express his or her views and have them taken into account. The Committee would like to suggest that a comprehensive strategy be worked out and put into operation as quickly as possible to realize this objective. It is important that such information should be prepared in the languages of children belonging to minorities or indigenous groups and should reach the people living in the remoter rural areas. Training material and programmes about the rights of the child should also be prepared and provided to personnel and professionals working with children, including judges, teachers, those working in institutions for children and law enforcement officials.

187. The Committee considers that greater efforts are required to sensitize society to the needs and situation of the girl child, to children living in rural areas and to socially disadvantaged children living in urban areas, in the light of article 2 of the Convention.

188. The Committee is of the view that further measures and efforts are urgently required to facilitate the registration of children so as to ensure that all children in Honduras possess the necessary registration certificates/documentation.

189. The Committee recommends that the State party ensure that its adoption procedures are in conformity with the provisions of the Convention, especially its articles 3, 12 and 21, and other relevant international instruments. The Committee recommends that the State party consider signing and ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

190. The Committee urges the State party to strengthen further family education programmes, which should provide information on parental responsibilities in the upbringing of a child, including the importance of avoiding physical punishment of the child. The Committee further recommends that greater attention and

resources be extended to the provision of family planning information and services. The Committee encourages the State party to support further measures that promote the provision of child-care services and centres for working mothers.

191. While the Committee recognizes that the State party has introduced and developed primary health care and achieved major progress in immunization coverage, it notes that in some areas of the country, particularly in rural areas, a serious problem of access to the public health system, including primary health, persists. The Committee recommends that measures be taken urgently to extend and strengthen the primary health-care system and to improve the quality of health care, including through incentives to attract higher numbers of volunteers into the system at the community level and through the provision of essential medicines and medical equipment at the various levels of health care in the country.

192. The Committee takes note of the efforts made by the State party to provide family and social assistance programmes as well as to implement supplementary food programmes with the aid of international cooperation, including from the World Food Programme (WFP). Notwithstanding these efforts, the Committee recommends that major attention and resources be focused on further measures to address the problems of extreme poverty affecting the majority of the population, which have adversely affected the rights of the child, inter alia, to adequate nutrition, clothing and housing.

193. The Committee is of the opinion that a thorough review of the education system is urgently required. It recommends that measures be taken to improve the quality of education. It is suggested that more vocational training be provided in schools and that further measures be introduced to train more teachers. It is also suggested that human rights education be incorporated into the school curriculum.

194. The Committee recommends that much greater attention be accorded to improving children's access to the education system and reducing the high incidence of school drop-out. In this regard, the Committee takes note of the suggestion of the Government which has not yet been implemented to organize the school year around the agricultural seasons with a view to organizing school vacations at sowing and harvesting periods. Equally, the Committee would like to suggest that the State party give consideration to the provision of meals and to complement the provision of health care through the schools.

195. As regards legislative reform in the area of the administration of juvenile justice, the Committee wishes to emphasize that any new legislative measures to be introduced in the State party must be guided by the principles and provisions of the Convention and other relevant international instruments, in particular, the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. In this regard, the Committee urges the Government to ensure that the age of criminal responsibility not be reduced. The Committee also wishes to recommend, in particular, that the system of the administration of juvenile justice be adequately supported to function appropriately. This requires, inter alia, that juvenile judges be trained and function in all areas or "departments" of Honduras. Equally, the Committee recommends that the systems for the supervision of and visits to places of juvenile detention must be adequately provided for. It also recommends that the State party further strengthen measures to reduce the period of custody of juveniles to ensure that a juvenile's deprivation of liberty be used only as a measure of last resort.

196. To prevent further abuses being committed against children, the Committee strongly recommends that allegations of abuses against children and the ill-treatment of children be promptly investigated through an adequately established system and that persons committing such abuses do not benefit from impunity.

197. The Committee recommends that the Government undertake the necessary measures to introduce legislation for the protection of the rights of refugees, in line with the relevant international standards, including the Convention relating to the Status of Refugees and its Protocol. Technical assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR) could be requested in this regard.

198. The Committee is of the view that there is an urgent need for the Government to consider reviewing its legislative and other measures relating to the minimum age for child labour as to its conformity with ILO Convention No. 138. In this regard, the Committee recommends that appropriate measures be taken to protect children from economic exploitation and to provide for appropriate sanctions. The Committee recommends, in particular, that action be taken to ensure that the girls working in the maquilas are not exploited and abused. Moreover, the Committee suggests that the State party consider the possibility of adopting adequate measures to implement ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

199. Finally, the Committee would like to propose that consideration be given to publicizing and widely disseminating within the country the initial report and additional information submitted by the State party to the Committee as well as the summary records and concluding observations emerging from the discussion of the report of Honduras in the Committee.

8. Concluding observations: Indonesia

200. The Committee began consideration of the initial report of Indonesia (CRC/C/3/Add.10) at its 79th to 81st meetings (CRC/C/SR.79-81), on 22 and 23 September 1993. In view of the fact that there was not sufficient time during the session to clarify fully a number of questions, the Committee decided not to conclude the consideration of that report. The State party was requested to provide additional information, before 31 December 1993, in response to concerns spelled out in the Committee's preliminary observations (CRC/C/15/Add.7, paras. 7-18), for consideration by the Committee at its seventh session. After considering the additional information provided by the Government of Indonesia (CRC/C/3/Add.26) at its 161st and 162nd meetings, on 28 and 29 September 1994 (CRC/C/SR.161 and 162), the Committee concluded its consideration of the initial report of Indonesia and adopted, at its 183rd meeting, on 14 October 1994, the following concluding observations.

(a) Introduction

201. The Committee expresses its appreciation of the Government of Indonesia's cooperation in providing information additional to its initial report and complying with the Committee's request to resume the consideration of that report at its seventh session. However, the Committee considers that several of the concerns it raised previously with regard to the implementation of the Convention on the Rights of the Child by the State party still remain to be addressed effectively.

(b) Positive factors

202. The Committee notes with satisfaction the importance attached by the State party to the Committee's advice and assistance on measures to be taken to improve the implementation of the rights of the child, and welcomes the State party's commitment to cooperating with the Committee, other United Nations bodies and agencies and non-governmental organizations with a view to reviewing and developing policies and programmes aimed at enhancing the situation of children.

203. The Committee takes note of the willingness expressed by the State party to review its national legislation in the light of its obligations under the Convention. It welcomes, in particular, the integration of the rights of the child into the national development programmes, pursuant to the Basic Guidelines of State Policy of 1993 and its National Human Rights Programme, in conformity with the Vienna Declaration and Programme of Action. The decision to introduce a "Village Programme" with a view to promoting child welfare and a greater awareness of the rights of the child at the grass-roots level, as well as the organization of seminars and workshops in the field of human rights, are other positive developments.

204. The Committee welcomes the decision of the State party to withdraw the reservation (qualified by the delegation of the State party as a declaration) made, at the time of ratification, with regard to articles 1, 14, 16 and 29 of the Convention. It also notes the statement made by the State party that it will soon inform the Secretary-General that all articles of the Convention are regarded as applicable by the State party.

(c) Factors and difficulties impeding the implementation of the Convention

205. The Committee takes note of the difficulties impeding the rapid implementation of the Convention in Indonesia, particularly the existence of 360 ethnic groups, the dispersal of the population throughout the Indonesian archipelago and the economic problems still facing the State party in general and sectors of the Indonesian population in particular.

(d) Principal subjects of concern

206. The status of the reservation, made at the time of ratification, in particular vis-à-vis articles 17, 21 and 22 of the Convention, is not fully clear at present. The Committee is, however, encouraged by the willingness of the State party to envisage withdrawing the reservation with respect to those provisions in the near future.

207. The Committee believes that there is need of a comprehensive review of the domestic legislation to bring it into line with the provisions of the Convention, to ensure that all children subject to the jurisdiction of Indonesia are adequately protected by the rights guaranteed under the Convention and to provide the basis for specifically targeted strategies as well as for monitoring progress made.

208. The Committee is concerned that national legislation with respect to the age at which a child may marry is not compatible with the non-discrimination provisions of the Convention, as reflected in article 2 of the Convention.

209. The Committee expresses its concern at the apparent low level of awareness among the general public, including children, and personnel working directly with children as to the provisions and principles of the Convention.

210. The Committee is concerned that proper attention has not yet been given to the implementation of the general principles of the Convention, particularly its articles 2, 3 and 12. The Committee reiterates that the implementation of these principles is not to be made dependent on budgetary constraints.

211. The Committee remains concerned at the small proportion of the budget devoted to the social sectors, particularly primary health care and primary education, in contradiction to the provisions of article 4 of the Convention which emphasize that economic, social and cultural rights should be implemented to the maximum extent of available resources. The Committee notes that international agencies have questioned the present level of resources allocated in the State party to the social sector.

212. The Committee expresses its concern regarding the implementation of articles 14 and 15 of the Convention. It reiterates that limiting official recognition to certain religions may give rise to practices of discrimination. It is also concerned that the authorities seem to give a wide interpretation to limitations for "lawful purposes" of the exercise of the rights to freedom of religion, expression and assembly, which may prevent the full enjoyment of such rights.

213. The Committee is particularly worried at the lack of compatibility of the system of administration of juvenile justice with the provisions of the Convention, including articles 37, 39 and 40 thereof, and other relevant United Nations standards in this field, namely the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

214. The State party has given assurances that violations similar to those that occurred in November 1991, when security forces used excessive violence against children peacefully demonstrating at Dili, would not occur again. The Committee, however, remains seriously disturbed by the continuing pattern of violation of the right to freedom of assembly and the great number of complaints of ill-treatment of children attributed to the police, security or military personnel, in particular in situations of arrest and detention. The Committee is also disturbed by the failure of the authorities to take effective steps to punish those found guilty of such violations and to rehabilitate and compensate the victims of such acts.

215. The Committee is worried about the large number of children who have been forced, in order to survive, to live and/or work in the street.

216. The Committee regrets that serious discrepancies or lacunae still exist in national legislation relating to child labour. In particular, it notes that Law No. 1/1951 has never been fully enacted or implemented and that the 1987 ministerial regulation does not provide the necessary protection for working children. It is also concerned about the leniency of the penalties provided for under the law as well as the lack of supervision by the inspectors of the Ministry of Manpower.

(e) Suggestions and recommendations

217. The Committee encourages the Government of Indonesia to complete the review of child-related laws so as to ensure their conformity with the provisions of the Convention and, in that regard, draws attention once again to the activities developed by the Programme of Advisory Services and Technical Assistance of the Centre for Human Rights. Principles relating to the best interests of the child and prohibition of discrimination in relation to children should be incorporated into domestic law, and it should be possible to invoke them before the courts.

218. The Government should take all necessary steps to ensure the respect and effective implementation of the provisions contained in the Convention and accordingly reflected in national legislation, including those relating to child labour. Relevant mechanisms should be set up to monitor the implementation of all child-related laws or regulations at the national and local levels. Cooperation with non-governmental organizations involved in the implementation of the Convention and the monitoring thereof should be strengthened.

219. The Committee recommends that the State party undertake a comprehensive reform of the system of juvenile justice and that the Convention and other international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, be seen as a guide in this revision. Attention should also be paid to measures for rehabilitation and social reintegration, in line with article 39 of the Convention.

220. The authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children, particularly children living in poverty, children living and/or working in the streets, children belonging to minority groups and other vulnerable children.

221. The Committee recommends that urgent measures be adopted to combat discrimination against children belonging to the most vulnerable groups, in particular children living in poverty, children living and/or working in the streets, children living in remote parts of the country and children belonging to minorities, including measures to eliminate and prevent discriminatory attitudes and prejudices such as those based on gender.

222. The Committee encourages the efforts currently under way to adopt adequate norms and implementing regulations relating to the protection of young children and young persons at work. The mechanisms established to monitor the situation of working children should be strengthened in order to assess the implementation of the Convention and to narrow the gap between the law and practice. The Committee believes that technical advice, particularly from ILO, may be appropriate with regard to these matters.

223. The Committee urges that the State party take all necessary measures to prevent disappearances, torture, ill-treatment and illegal or arbitrary detention of minors; that all such cases be systematically investigated in order to bring those suspected of having committed such acts before the courts; and that those found guilty be punished and that the victims be compensated.

224. The Committee recommends that the provisions of the Convention should be widely publicized among the general public and, in particular, among teachers, social workers, law enforcement officials, the staff in correctional facilities,

judges and members of other professions who are concerned with the implementation of the Convention.

225. The Committee recommends that the initial report and additional information along with the relevant summary records and the preliminary and concluding observations adopted thereon by the Committee be made widely available to the public at large, including non-governmental organizations.

226. Finally, the Committee recommends that, in the light of article 44, paragraph 4, of the Convention, additional information be submitted to the Committee within two years about progress in relation to the legal reforms envisaged and their implementation.

9. Concluding observations: Madagascar

227. The Committee considered the initial report of Madagascar (CRC/C/8/Add.5) at its 163rd to 165th meetings (CRC/C/SR.163-165), on 29 and 30 September 1994, and adopted, at its 183rd meeting, on 14 October 1994, the following concluding observations.

(a) Introduction

228. The Committee expresses its appreciation for the detailed and comprehensive report submitted by Madagascar as well as for the extensive additional information provided in its written responses to the list of issues. The Committee welcomes the openness reflected in the report with respect to difficulties encountered in the implementation of the Convention on the Rights of the Child. In this connection, the Committee endorses, in general, the many recommendations contained in the report aimed at improving the effective application of the Convention in Madagascar. The Committee regards the report as a valuable document, which may be used in Madagascar in promoting awareness of the Convention, especially in regard to its application in law and practice.

229. The Committee also expresses its appreciation to the delegation for its frank and open attitude, which contributed to a constructive dialogue with the Committee. In this regard, the Committee takes note of the statement made by the delegation regretting that it had not been possible to include representatives from the departments concerned with the actual implementation of the Convention in Madagascar.

(b) Positive factors

230. The Committee welcomes the establishment of the Intersectoral Follow-up Committee, which drafted the initial report and which is envisaged as a permanent coordinating body to ensure an effective follow-up in close evaluation and monitoring of the situation of children in Madagascar, as well as an appropriate follow-up in close collaboration with non-governmental organizations. The Committee expresses its satisfaction that representatives of international organizations are included in the follow-up committee, which may facilitate better coordination in the area of international cooperation and development assistance aimed at improving the situation of children in Madagascar.

(c) Factors and difficulties impeding the implementation of the Convention

231. The Committee notes the difficulties facing the Government of the Republic of Madagascar in a period of political transition.

232. The Committee also notes that natural disasters and severe economic problems have had a negative impact on the situation of children. The Committee recognizes that certain traditional values in the rural areas have not favoured the rapid implementation of the Convention.

(d) Principal subjects of concern

233. The Committee is concerned that the fundamental legal and administrative reforms needed to apply the Convention have still not been fully undertaken in Madagascar. As a result, many of the laws affecting children date from the period immediately following independence and need to be brought into full conformity with the principles and provisions of the Convention.

234. The Committee notes with concern the persistence of disparities in the enjoyment of the rights recognized by the Convention between the different regions of the country, to the detriment in particular of girls, rural children and children living in situations of extreme poverty. The Committee is also concerned that lasting prejudices and traditional beliefs affect certain groups of children, including disabled children and children born on a certain day of the week (considered to bring bad luck), preventing them from fully enjoying the rights recognized by the Convention.

235. The Committee is concerned that the national legislation establishes a different minimum age for marriage between boys and girls and that it authorizes the marriages of girls as young as 14 years of age who have obtained parental consent from the father or the mother. Such situations may raise the question of compatibility with the principles of non-discrimination and the best interests of the child, in particular as these children will be considered as adults and therefore no longer eligible for the protection afforded by the Convention. Furthermore, the Committee is concerned about the legal status of children born out of wedlock, particularly of incestuous unions.

236. The Committee is concerned at the difficulties to ensure birth registration of children. Such a situation implies the non-recognition of these children as persons before the law, which will affect the level of enjoyment of their fundamental rights and freedoms. In addition, such children are not included in relevant statistical and other information on children and their situation, therefore, cannot be properly monitored.

237. The Committee is concerned about the problems associated with ill-treatment, abuse and violence directed towards children in school and in the family, which is reinforced by social custom. In this connection, the Committee notes with concern that child abuse has not yet been clearly addressed, that adequate legal remedies for abused children do not exist and that there are inadequate safeguards against reprisals against children who report abuse.

238. With respect to basic health and welfare, the Committee notes with concern that in Madagascar, children have increasingly had difficulty in obtaining access to adequate primary health care and that many continue to suffer from lack of medicine and safe drinking water. In particular, the Committee is concerned over the alarming trend that child immunization is on the decrease.

239. With respect to education, the Committee notes with concern that there has been little progress in implementing the relevant articles of the Convention and that, in particular, the number of hours during which schools are open have been restricted, that teacher training has been inadequate and that a high proportion of pupils drop out before finishing primary school. Moreover, the Committee is concerned at the difficulties arising from the changes introduced in the education system as far as the language of instruction is concerned.

240. With regard to child exploitation, the Committee is concerned that child labour continues to be a serious problem in Madagascar, particularly in the rural areas and in the informal sector. In this connection, the Committee notes with alarm that there is no effective inspection in rural areas to combat this problem nor is there labour legislation covering domestic workers.

241. With respect to sexual exploitation of the child, the Committee is concerned that insufficient measures have been taken to prevent and combat child pornography as well as prostitution involving children living and/or working on the streets, particularly children who are victimized by tourists.

242. With regard to the administration of juvenile justice, the Committee is concerned that the existing legislation does not reflect the spirit or the provisions of the Convention. In particular, the Committee is concerned that children may be subject to situations of deprivation of liberty, namely lengthy pre-trial detention, and that they might not benefit from the safeguards recognized in the Convention, in the light of articles 37 and 40. The Committee is also concerned by the serious conditions in the correctional facilities which, as recognized by the delegation, may adversely affect the fulfilment of the State party's obligations under the Convention and other international human rights standards.

(e) Suggestions and recommendations

243. The Committee recommends that the Government develop information and awareness campaigns on the principles and provisions of the Convention, whenever appropriate in close cooperation with community and religious leaders, in order to create a wider awareness and contribute to the eradication of prevailing prejudices and cultural traditions that may be detrimental to the enjoyment of the rights of the child. It further suggests that special attention be paid to the training of professional groups, working with and for children, on the rights of the child.

244. The Committee recommends that the Government undertake a comprehensive review of national legislation, with a view to ensuring its full compatibility with the principles and provisions of the Convention. New legislation should be adopted in those areas where the protection of children is not yet adequately addressed, such as in the fields of child abuse and national and intercountry adoption or the administration of juvenile justice. To this end, the Committee suggests that the mandate of the Intersectoral Follow-up Committee be broadened accordingly.

245. The Committee emphasizes the importance of establishing an effective and permanent system of monitoring the implementation of the Convention and newly adopted legislation relating to children, and recognizes that the Intersectoral Follow-up Committee could be envisaged as the focal point for that purpose. The Committee also suggests that such a monitoring mechanism may strengthen its cooperation with non-governmental organizations and relevant professional groups, as well as religious and community leaders.

246. The Committee also recommends that serious consideration be given to the allocation of available resources, including those deriving from international development aid, in order that they be used, to the maximum extent possible, for the effective implementation of the economic, social and cultural rights of children, in particular those belonging to the most vulnerable groups.

247. With respect to child exploitation, the Committee recommends that efforts to prevent and combat child labour, in particular in the informal sector, be greatly intensified, and that the Government consider ratifying the ILO Minimum Age Convention, 1973 (No. 138). In this regard, the Committee further recommends that the State party consider seeking assistance from ILO, in particular with a view to reinforcing its capacity to monitor the Convention on the Rights of the Child.

248. With respect to the administration of juvenile justice, the Committee recommends that the necessary facilities be provided to implement fully the provisions of the Convention. The Committee further recommends that the law reform to be undertaken in this field adequately reflect the provisions of the Convention as well as other relevant international standards, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. In this regard, it is suggested that serious attention be paid to the best interests and the dignity of the child, and the consideration of deprivation of liberty as a measure of last resort and for the minimum period possible. The Committee underlines the importance of technical assistance programmes in this area and encourages the State party to consider requesting such assistance from the Centre for Human Rights as well as from the Crime Prevention and Criminal Justice Branch of the Secretariat.

249. The Committee recommends that in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee.

10. Preliminary observations: Paraguay

250. The Committee began consideration of the initial report of Paraguay (CRC/C/3/Add.22) at its 167th and 168th meetings (CRC/C/SR.167 and 168), on 4 and 5 October 1994, and adopted, at its 183rd meeting, on 14 October 1994, the following preliminary observations.

(a) Introduction

251. The Committee expresses its appreciation to the State party for the submission of its initial report and for its willingness to engage in a dialogue with the Committee. The Committee welcomes the self-critical approach taken by the State party in its initial report, especially in indicating the factors and difficulties encountered in the implementation of the Convention on the Rights of the Child. However, the Committee regrets that the information provided in the initial report and in the dialogue ensuing from its consideration is not sufficient for the Committee to form a complete and accurate assessment of the implementation of the rights of the child in Paraguay. Thus, the Committee requests the State party to submit an additional report to it within one year. The Committee would appreciate receiving within such a report more detailed and complete information in response to both the Committee's written list of issues

and to the additional questions raised and concerns expressed by its members during the examination of the report, including with regard to priorities for action to implement the rights provided for under the Convention.

(b) Positive factors

252. The Committee takes note that different mechanisms have been established within the State party to deal with questions relating to the situation of children. The intention of the State party to adopt a new juvenile code for improving the protection and promotion of the rights of the child is also noted. Additionally, the Committee wishes to draw attention to the provision incorporated within the Constitution that not less than 20 per cent of the national budget be devoted to education. It also notes that efforts are being undertaken by the State party to provide bilingual programmes within the primary education system.

(c) Factors and difficulties impeding the implementation of the Convention

253. The Committee notes that Paraguay is going through a period of transition to democracy, having only recently emerged from a dictatorship form of governance. The Committee recognizes that the legacy of certain attitudes and traditions from this period hamper the effective implementation of the rights of the child.

(d) Principal subjects of concern

254. The Committee is concerned that sufficient attention does not seem to have been paid to the development of a coordinating institution to monitor the implementation of the rights of the child in Paraguay. The Committee is equally concerned about the extent to which the bodies established to consider the situation of children are provided with the requisite support and resources in order to permit them to fulfil their designated functions. In addition, the Committee remains unclear as to the extent to which the process of reviewing the implementation of the rights of the child in the State party was designed to encourage and facilitate popular participation and public scrutiny of government policies.

255. The Committee is of the view that adequate measures have not yet been taken to make the principles and provisions of the Convention known to adults and children alike. Similarly, it is noted that professionals and personnel working with or for children, including military personnel, law enforcement officials, judges, health workers and teachers, lack sufficient training about the Convention and other relevant international standards relating to the rights of the child.

256. The Committee wishes to express its general concern that the State party does not appear to have fully taken into account the provisions of the Convention, including its general principles, as reflected in its articles 2, 3, 6 and 12, in the legislative and other measures relevant to children in Paraguay. In this connection, the Committee notes that the low marriageable age for girls, presently standing at 12 and the fact that this age is lower for girls than boys are incompatible with the provisions of the Convention, including those of its article 2. In addition, the Committee is of the opinion that other legislation in force in Paraguay relating to the definition of the child with regard to the performance of military service and to the non-validity of children's statements in cases of alleged sexual abuse also raises concern as to its compatibility with the spirit and purpose of the Convention, especially

in ensuring that the best interests of the child shall be a primary consideration in all actions concerning children.

257. The Committee is generally concerned that Paraguayan society is not sufficiently sensitive to the needs and situation of the girl child. It also notes the persistence of discrimination against children belonging to minority and indigenous groups contrary to the provisions of article 2 of the Convention.

258. Moreover, within the framework of the application of article 4 of the Convention, relating to the allocation of resources to the maximum extent possible, the Committee is concerned about the insufficient portion of the national and local-level budgets allocated to social and human needs, especially with regard to responding to the situation of the most vulnerable groups of children. In this connection, the Committee wishes to emphasize the importance of the provisions of article 3 of the Convention, relating to the best interests of the child, in guiding deliberations and decisions on policy, including with regard to the allocation of human and economic resources for the implementation of the rights guaranteed under the Convention. The Committee also wishes to underline its concern about the adequacy of statistical and other data collection systems existing within the State party to assist in the formulation and design of strategies to implement the rights of the child.

259. The Committee is concerned that insufficient measures have been taken to implement the provisions of articles 7 and 8 of the Convention, particularly with regard to ensuring birth registration and that children are provided with the necessary registration certificates and other documents which accurately protect and preserve the elements of their identity. It is noted that the absence of appropriate measures for registration may seriously affect the level of the child's enjoyment of other fundamental rights and freedoms.

260. The Committee expresses its grave concern over the information brought to its attention of alleged trafficking in intercountry adoptions in violation of the provisions and principles of the Convention. It is further concerned about the absence of a normative framework in the field of intercountry adoptions, namely in the light of articles 3, 12 and 21 of the Convention.

261. The Committee notes that the social inequalities existing in the country, including through the unequal distribution of income and land, have contributed to the considerable problems facing children in Paraguay. The Committee is further concerned that the difficulties being faced by children living in rural and in disadvantaged urban areas may lead to their parents or guardians placing them in the service of wealthier families, which frequently leads to the ill-treatment and abuse of these children.

262. The Committee is very much alarmed at reports it has received of the ill-treatment of children in detention centres. In view of the seriousness of such alleged violations, the Committee is concerned about the insufficient training provided to law enforcement officials and personnel of detention centres on the provisions and principles of the Convention and other relevant international instruments such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

263. The Committee is concerned that, in spite of the fact that the educational system is undergoing a considerable process of reform, the problems of a low rate of access to and retention in school, as well as a high level of school drop-out, remain.

(e) Further action

264. The Committee notes that, during the initial dialogue with the State party, matters relating to basic health and special protection measures were not addressed. The Committee recommends that the additional report requested of the State party cover these issues. In addition, the Committee wishes to be informed of the progress achieved with regard to the establishment of a national coordinating mechanism to monitor the rights of the child and of the participation of various bodies involved in promoting and protecting children's rights, including non-governmental organizations, in such monitoring activities. The Committee would also wish to be informed of the measures taken to ensure that the provisions of the Convention, particularly its articles 3, 12 and 21, are fully taken into consideration, including in the determination and application of legislation and procedures pertaining to the matter of adoption. In this connection, the Committee wishes to encourage the Government of Paraguay to consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993 and concluding bilateral agreements with the countries of prospective adoptive parents.

265. The Committee notes the statement contained in paragraph 160 of the State party's report which indicates the importance the Government of Paraguay attaches to the Committee's advice on measures to be taken to improve the implementation of the rights of the child, and welcomes the State party's commitment to cooperating with the Committee and other United Nations bodies and agencies with a view to promoting and protecting the rights of the child. In this connection, the Committee takes further note of the technical cooperation currently provided to the Government of Paraguay through a joint programme supported by the Centre for Human Rights and the United Nations Development Programme (UNDP). The Committee recommends that the concerns raised by the Committee with regard to the realization of the rights of the child should be incorporated within the activities organized under this joint programme.

11. Concluding observations: Spain

266. The Committee considered the initial report of Spain (CRC/C/8/Add.6) at its 171st to 173rd meetings (CRC/C/SR.171-173), on 6 and 7 October 1994, and adopted, at its 183rd meeting, on 14 October 1994, the following concluding observations.

(a) Introduction

267. The Committee expresses its appreciation to the State party for its comprehensive report and for engaging, through a high-ranking delegation, in a constructive and frank dialogue with the Committee. The Committee also welcomes the written information provided by the Government of Spain in reply to the questions set out in the list of issues that was communicated to it before the session, although, owing to lack of time, the written information could be made available in the original language of submission only.

(b) Positive factors

268. The Committee notes with satisfaction the declaration made by Spain at the time of its ratification of the Convention on the Rights of the Child with regard to the provisions of paragraphs 2 and 3 of article 38 and the commitment of the State party not to permit the recruitment and participation in armed conflict of persons below the age of 18 years.

269. The Committee also welcomes the open and self-critical approach taken by the Government of Spain in preparing its report.

270. The Committee welcomes the judgement of the Spanish Constitutional Court of 14 February 1991 declaring unconstitutional the procedure that juvenile courts followed in the past. The Committee notes with satisfaction the ruling of the Constitutional Court, which explicitly takes up in full the terms of article 40, paragraph 2 (b), of the Convention and concludes, inter alia, that the fundamental rights brought together by the Spanish Constitution have to be respected also in criminal proceedings against minors.

271. The Committee further welcomes the fact that, in Spain, discriminatory acts committed by a public official are considered criminal offences under the law.

(c) Principal subjects of concern

272. The Committee is concerned at the fact that effective coordination has not been fully developed between central authorities and regional and local authorities in the implementation of policies for the promotion and protection of the rights of the child. Coordination is also necessary for the purpose of monitoring in order to avoid disparities developing in the implementation of economic, social and cultural programmes relating to children.

273. The Committee is concerned at the impact on the rights of the child of the high rate of unemployment and the deterioration of the economic and social environment.

274. The Committee is worried about one aspect of the treatment of unaccompanied minors seeking refuge which may contradict the principle that each case be dealt with on an individual basis and on its own merits. The practice of automatically informing the authorities of their country of origin may lead to their persecution, or the persecution of their relatives, for political reasons.

275. Furthermore, the Committee expresses concern at the wording of article 154 of the Spanish Civil Code, which provides that parents "may administer punishment to their children reasonably and in moderation", which may be interpreted to allow for actions in contradiction with article 19 of the Convention.

276. The Committee expresses its concern at the high percentage of single parent families and the need for special programmes and services to provide the necessary care for children from such families.

(d) Suggestions and recommendations

277. The Committee recommends that the State party strengthen the coordination mechanisms existing in its constitutional and legislative framework and develop evaluation and monitoring at all levels of the administration, central, regional and local (including the comunidades autónomas), to ensure that the Convention is fully respected and implemented.

278. The Committee further recommends that the Government of Spain gather all the necessary information in order to have an overall view of the situation in the country and to ensure a comprehensive and multidisciplinary evaluation of progress and difficulties in implementing the Convention. This evaluation should enable it to shape appropriate policies to combat disparities and lasting prejudices.

279. The State party is recommended to pay particular attention to the implementation of article 4 of the Convention and ensure a balanced distribution of resources at the central, regional and local levels. In establishing the budget allocated to the promotion and protection of economic, social and cultural rights, the best interests of the child should be taken as a primary consideration and available resources should be allocated to their maximum extent.

280. It is recommended that the State party consider reviewing its programme for international cooperation in order to assess the possibility of giving more emphasis to the social sectors and to direct the assistance to the most underprivileged children.

281. Measures should be taken to disseminate information and increase awareness about the Convention and to prevent discriminatory attitudes or prejudices towards vulnerable groups of children, including migrant children and gypsies. To this effect, the Committee suggests that law enforcement officials, judges, other administration of justice officials and, more generally, members of professions concerned with the implementation of the Convention be provided with adequate training on the basic principles and norms contained in it.

282. The Committee suggests that the State party consider institutionalizing the existing relations with non-governmental organizations and research institutions in order to mobilize popular participation in activities and programmes relating to the promotion and protection of the rights of the child.

283. Furthermore, the Committee encourages the Spanish authorities to pursue the law reform to ensure full compliance of the domestic legislation with the provisions of the Convention. In this regard, the Committee recommends that the law reform include the review of the language used in legal provisions and, in particular, the revision of article 154 of the Spanish Civil Code stating that parents "may administer punishment to their children reasonably and in moderation", in order to bring it into full conformity with article 19.

284. The Committee recommends that the State party consider legal amendments in order to ensure the right to participation of children, including the right to freedom of association and to freedom of peaceful assembly as reflected in article 15 of the Convention.

285. The Committee also recommends that the Government of Spain improve the system of safeguards in the cases of intercountry adoption. In this connection, the Committee encourages Spain to consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

286. Further steps should be taken to strengthen the system of assistance to both parents in the performance of their child-rearing responsibilities, in particular in the light of article 18. It is further suggested that the problem of single parenthood be studied and that relevant programmes be established to meet their particular needs.

287. The Committee recommends that the Government of Spain take all the necessary measures to guarantee that refugee children, children who are asylum-seekers and unaccompanied children enjoy the rights recognized by the Convention and that, in accordance with its article 10, applications for asylum made for the purpose of family reunification be dealt with in a positive, humane and expeditious manner.

288. The Committee encourages the Government of Spain to consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

289. The State party should give particular attention to the implementation of the provisions of article 32 of the Convention aimed at protecting the child against economic exploitation as well as to the implementation of the relevant ILO conventions that it has ratified.

290. Finally, the Committee recommends that the initial report of Spain, the summary records of the meetings of the Committee in which the report was considered and the concluding observations of the Committee on the report be published and disseminated as widely as possible in Spain.

12. Concluding observations: Argentina

291. The Committee considered at its seventh session the initial report of Argentina (CRC/C/8/Add.2) at its 177th to 179th meetings (CRC/C/SR.177-179), on 10 and 11 October 1994. In view of the fact that the additional report, which had been requested from the Government of Argentina to supplement the information contained in Argentina's initial report, was received just before the consideration of the report, the Committee decided to postpone the adoption of its concluding observations until its next session. The Committee therefore adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

292. The Committee expresses its appreciation to the State party for engaging in a dialogue with the Committee. The Committee notes with regret that the report submitted by the Government of Argentina does not cover all rights enshrined in the Convention on the Rights of the Child and that it was not prepared in accordance with the Committee's guidelines for the preparation of initial reports. It notes that the report mainly deals with the legal framework and does not contain sufficient information, either analytical or statistical, on the actual implementation of the principles and rights set forth in the Convention. The extensive additional information submitted by the Government came too late for the Committee members to study and examine before the discussion with the State party delegation.

(b) Positive factors

293. The Committee notes with satisfaction the declaration made by the State party upon ratification in regard to article 38 that a prohibition exists in national legislation on the use of children under 18 in armed conflicts.

294. The Committee also welcomes the establishment of the National Council for Children and Family, the development of a National Plan of Action for Children as well as the signing of a federal Pact for Mothers and Children.

295. The Committee welcomes the efforts undertaken by the Government of the State party to publicize the Convention.

296. The Committee welcomes the incorporation of the Convention, as well as other human rights treaties ratified by Argentina, into the domestic legal

system and the high legal status attributed to them by virtue of which they are given precedence over national laws.

297. The Committee notes with satisfaction the successful immunization programme with 99 per cent coverage and the high literacy rate - 95 per cent in 1990.

(c) Principal subjects of concern

298. The Committee is furthermore concerned about the reservations entered by the Government of Argentina upon the ratification of the Convention with respect to article 21 (b) to (e) owing to their broad nature.

299. The Committee is concerned that sufficient administrative and other measures seem not to have been taken to facilitate an effective coordination of the implementation of the Convention on local, regional and national levels.

300. The Committee takes note of the disparity of marriage ages for boys and girls in Argentine law, which seems to be contrary to the provisions of article 2 of the Convention.

301. The Committee notes with special concern the situation of children from vulnerable and disadvantaged groups, such as disabled children, abandoned children and children living and/or working in the streets, as well as children belonging to households living in poverty.

302. The Committee is also worried about the high number of single mothers in Argentina between the ages of 12 and 18 and about reports on the occurrence of domestic violence and sexual abuse.

303. The Committee notes the problems in the schools, with high turnover of teachers and children dropping out.

(d) Suggestions and recommendations

304. The Committee recommends that the Government of Argentina consider reviewing the reservation entered upon ratification of the Convention with a view to withdrawing it. In that connection, the attention of the State party is drawn to the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993, which encouraged States to withdraw reservations to the Convention.

305. The Committee recommends that, given the federal nature of the Argentine State, a comprehensive approach be taken by the Government in implementing the Convention, particularly in assuring better coordination between the various mechanisms and institutions already in place to deal with the promotion and protection of the rights of children. Of importance, in that context, would be the establishment of an appropriate infrastructure at all levels and increased coordination between efforts undertaken at the local and provincial level with those taken at the national level. It is recommended that emphasis also be put on the aspect of monitoring, including through an ombudsman, and on cooperation with non-governmental organizations working for the rights of the child.

306. The Committee suggests that the budgetary measures be reviewed with a view to ensuring that the maximum amount of available resources is allocated to promote and protect the rights of the child at the federal, regional and local levels.

307. The Committee recommends that further efforts be made to ensure that personnel dealing with children be provided with adequate training that emphasizes the principles and norms in the Convention.

308. The Committee suggests that a larger part of the education and training of law enforcement personnel, judges and other administration of justice officials be devoted to an understanding of international standards on juvenile justice. The Committee also recommends that juvenile courts be set up in all provinces.

309. The Committee suggests that the State party consider undertaking greater efforts to provide family education and developing awareness of the equal responsibility of parents. Health education programmes should be developed to counter the high incidence of teenage pregnancy.

310. The Committee suggests that the State party considers the possibility of introducing more effective legislation and follow-up mechanisms to prevent violence within the family in the spirit of article 19.

311. The Committee also recommends that further measures be taken by the Government to reduce drop-out rates in schools and to ensure that the schools are adequately staffed with qualified personnel. It is also recommended that further steps be taken to encourage the active participation of children in the schools, as well as outside, in the spirit of article 12 of the Convention.

312. The Committee also recommends that the report and the additional information submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country.

13. Concluding observations: Philippines

313. The Committee considered the initial report of the Philippines (CRC/C/3/Add.23) at its 185th to 187th meetings (CRC/C/SR.185-187), on 10 and 11 January 1995, and adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

314. The Committee notes with satisfaction the submission of the initial report of the Philippines, which was one of the first States to become party to the Convention on the Rights of the Child. The Committee expresses its appreciation that the report followed the Committee's guidelines and that it contained detailed information on the legal framework within which the Convention is implemented as well as some mention of the difficulties encountered by the State. The Committee welcomes the written information provided by the Government in reply to the questions set out in the list of issues that was communicated to it before the session. The Committee, however, notes with regret the lack of information on the concrete effects of measures adopted.

315. The supplementary information provided by the numerous members of the delegation of the Philippines and the fact that the delegation was composed of members involved in a diversity of sectors in various child-related issues made it possible to supplement information received in writing and to engage in an open and constructive dialogue.

(b) Positive factors

316. The Committee takes note of the firm commitment of the Government of the Philippines to the promotion and protection of the rights of the child. The Committee welcomes the efforts made by the State party in bringing domestic law into line with the Convention, through the enactment of new laws and the adoption of programmes specifically aimed at promoting and protecting the rights of the child. Among these achievements was the adoption, following the World Summit for Children in 1990, of the Philippine plan of action for children entitled "The Filipino Children: 2000 and Beyond".

(c) Factors and difficulties impeding the implementation of the Convention

317. The Committee notes the geographical and cultural diversity, the dispersal of the population throughout the 7,000 islands of the archipelago, and the wide economic and social disparities existing in the country.

318. The Committee further recognizes the difficulties arising from political instability in a period of democratization, including the adverse effects of the armed conflict on children.

319. The Committee also notes that natural disasters have had a negative impact on the situation of children.

(d) Principal subjects of concern

320. The Committee is concerned that in spite of serious efforts and achievements in the area of legislative reform, steps remain to be taken to bring national legislation into full conformity with the Convention, including in regard to the minimum age of criminal responsibility, minimum age for sexual consent, minimum age of access to employment, compulsory schooling age limit, status of children born out of wedlock, the prohibition of torture, intercountry adoption and legislation concerning the administration of juvenile justice, including deprivation of liberty and criminalization of vagrancy.

321. The lack of efficient mechanisms to monitor the situation of children is a matter of concern. The Committee notes in this regard a lack of reliable qualitative and quantitative data, a shortage of means to implement programmes, and a lack of indicators and mechanisms to evaluate the progress and impact of policies adopted.

322. The Committee is equally concerned that insufficient attention seems to have been paid to the provisions of article 4 of the Convention concerning budgetary allocations. The present balance of resource allocations in the State party between the social and other sectors, and the high proportion of military expenditures to the detriment of child-related issues, are noted with concern. In this regard, the Committee expresses its concern at the unequal distribution of the national wealth in the country and the disparities in the enjoyment of the rights provided for under the Convention, to the detriment of poor urban children, children living in rural areas and children belonging to minorities (or "cultural" communities).

323. The Committee is concerned at the difficulties in ensuring the registration of children after birth, as well as at the problems faced by children who have not been registered in the enjoyment of their fundamental rights and freedoms.

324. The Committee also expresses its concern at the lack of practical measures to ensure the full enjoyment of the rights recognized in the Convention by certain categories of children, including girl children, disabled children, children of mixed marriages, children of overseas workers, working children and children affected by armed conflicts.

325. The Committee is seriously alarmed by the existence of child abuse (including sexual abuse) and neglect within the family, which often lead to children being abandoned or running away, thus facing the additional risks of violations of their human rights.

326. The Committee is also preoccupied by the level of violence and the high incidence of ill-treatment and abuse of children, including cases attributed to the police or military personnel. It notes with concern that the efforts of the Government to combat child abuse and neglect are insufficient, both from the prevention and the sanction point of view. The lack of rehabilitation measures for such children is also a matter of concern. The failure to take effective steps to prosecute and punish those responsible for such violations or to make public decisions taken in this regard, including towards paedophiles, may lead to a feeling in the population that impunity prevails and that it is therefore useless to bring complaints before the competent authorities.

327. With respect to the right to education, the Committee notes with concern that there has been little progress in fully implementing the relevant principles and provisions of the Convention, in particular with respect to girl children, children living in rural or remote areas and children affected by the armed conflict. The Committee is also worried by the lack of vocational training opportunities, the high drop-out rate in primary education and the low rate of enrolment in secondary education.

328. The large and growing number of children who, owing to rural exodus, extreme poverty, abandonment, as well as situations of violence within the family, are forced to live and/or work in the streets, are deprived of their fundamental rights and exposed to various forms of exploitation, is a matter of deep concern.

329. Specific concern is also expressed about the present organization of the system of administration of juvenile justice and its lack of compatibility with the principles and provisions of the Convention and other international standards relating to juvenile justice.

(e) Suggestions and recommendations

330. The Committee recommends that the State party continue to harmonize domestic legislation with the provisions of the Convention. Serious consideration should be given to raising the age limit for sexual consent and penal responsibility, eliminating discrimination towards children born out of wedlock, prohibiting torture and revising legal provisions with regard to the administration of juvenile justice. The Committee also suggests that the State party envisage ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993. The Committee also recommends that the Government take all necessary steps to ensure the respect and effective implementation of the provisions contained in the Convention.

331. Coordination between the various governmental agencies involved in the implementation of the Convention and its monitoring should be ensured, and

efforts should be made towards closer cooperation with non-governmental organizations.

332. Measures should be taken to strengthen the monitoring mechanisms of the Convention. Qualitative and quantitative data and indicators for evaluating the progress and efficiency of programmes aiming at the full enjoyment of children's rights should be developed. Publicity should also be given to the monitoring reports on the implementation of the rights of the child.

333. The authorities should undertake all appropriate efforts to the maximum extent of their available resources to ensure that sufficient resources are allocated to children, taking into special consideration the needs of the most vulnerable groups.

334. More children's rights-oriented training programmes should be organized for various professional groups such as teachers, judges, social workers and police officials. Such programmes should emphasize the promotion and protection of the fundamental rights of the child and the child's sense of dignity. Greater efforts should be made to provide family life education and develop awareness of the responsibility of the parents. The Committee encourages non-governmental organizations and children and youth groups to pay attention to the need to change attitudes as part of their advocacy action.

335. The Committee emphasizes that the principle of non-discrimination, as provided for under article 2 of the Convention, must be fully applied. A more active approach should be taken to eliminate discrimination against certain groups of children, in particular children in remote areas, children belonging to "cultural" communities, girl children, disabled children and children born out of wedlock.

336. The Committee recommends that the State intensify its action against all violence directed at and ill-treatment of children, in particular sexual abuse. An increased number of programmes should aim at the prevention of sexual misbehaviour towards children. The deep causes of the phenomenon should be seriously looked at. The Committee also recommends the active participation of non-governmental organizations as well as children and youth groups in changing and influencing attitudes in that regard.

337. The State party should ensure that adequate procedures and mechanisms to deal with complaints of ill-treatment of children are developed, that cases of violations of children's rights are duly investigated and that the results of such investigations are given publicity.

338. The Committee recommends that further measures be taken to implement the provisions of article 32, including in relation to the minimum age of access to employment, and that efforts be made to prevent and combat child labour in the country. Particular attention should be paid to children working in the informal sector. The Committee recommends that the State party seek technical assistance from ILO in this area.

339. The Committee recommends that the State party undertake a comprehensive reform of the system of administration of juvenile justice and that this reform be guided by the principles and provisions of the Convention as well as other relevant international standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Committee suggests that training of the law enforcement personnel, judges and other administration of justice officials be organized and

that part of such training be devoted to these international standards of juvenile justice. The Committee underlines the need for technical assistance in this area and encourages the State party to seek such assistance from the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Secretariat in this regard.

340. The Committee also recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country.

14. Concluding observations: Colombia

341. The Committee began consideration of the initial report of Colombia (CRC/C/8/Add.3) at its 113th to 115th meetings (CRC/C/SR.113-115), on 17 and 18 January 1994. In view of the fact that it was not possible during the session to clarify fully a number of serious concerns about the implementation of the Convention on the Rights of the Child, the Committee decided not to conclude the consideration of that report and adopted instead a set of preliminary observations. The State party was requested to provide, by 28 February 1994, written answers to the Committee's list of issues and information on particular areas of concern identified by the Committee in its preliminary observations, for consideration by the Committee at a future session. After considering the additional information provided by the Government of Colombia at its 188th and 189th meetings, on 12 January 1995 (CRC/C/SR.188 and 189), the Committee concluded its consideration of the initial report of Colombia and adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

342. The Committee expresses its appreciation to the Government of Colombia for the submission of written answers to its list of issues, the responses to its preliminary observations and other oral questions posed during consideration of the report, and the additional information on the particular areas of concern identified by the Committee. The Committee is encouraged by the frank and cooperative tone of the discussion, in which the representatives of the State party indicated not only the policy directions relative to the Convention, but also the difficulties encountered during implementation.

(b) Positive factors

343. As recognized in its preliminary observations, the Committee welcomes the major legislative initiatives adopted with a view to providing a legal framework for the implementation of the Convention. The Committee also welcomes the initiatives taken towards creating special mechanisms for the implementation of the Convention. It particularly welcomes the emphasis placed on the protection of human rights as reflected, inter alia, by the establishment of a Unit on Human Rights within the Attorney-General's Office.

344. The Committee further welcomes the efforts made to facilitate the participation of non-governmental organizations in the implementation process.

345. The Committee notes the progress made over the last 10 years in lowering the infant mortality rate. It also welcomes the formulation by the State party of a national plan of action and the setting of concrete goals as follow-up to the World Summit for Children. The Committee further welcomes the Government's

efforts to provide education to children in rural areas and to improve their nutritional level.

(c) Factors and difficulties impeding the implementation of the Convention

346. The Committee takes note that Colombia is going through a difficult economic period that adversely affects the situation of children. It further notes the prevailing disparities existing in the country at the economic and social levels.

347. The Committee also notes the serious impact on children of political problems stemming from drug-related terrorism and violence.

(d) Principal subjects of concern

348. The Committee is concerned at the significant gap between the laws adopted to implement the Convention and the practical application of those laws to the actual situation of a great number of children in Colombia.

349. The Committee also expresses concern over the lack of sufficient coordination between the various entities involved in human rights and children's rights, as well as at the lack of comprehensive consideration of different sectoral policies aiming at the promotion and protection of the rights of the child.

350. The Committee expresses its concern at the insufficient steps taken to gather relevant information on the implementation of the Convention as well as to ensure an effective monitoring system at the national, regional and local levels.

351. The Committee expresses its grave concern over the large proportion of Colombian children who continue to live in extreme poverty despite the fact that Colombia has one of the most favourable economic growth rates and one of the lowest amounts of per capita foreign indebtedness in the region. Many children in Colombia, including a large proportion of rural and indigenous children, have been economically and socially marginalized and have limited or no access to adequate education or health care services.

352. The Committee is also concerned about discriminatory and adverse social attitudes, particularly among law enforcement officials, towards vulnerable groups of children. The Committee expresses its grave concern over the life-threatening situation faced by an alarming number of children in Colombia, particularly those who, in order to survive, are working and/or living on the streets. Many of those children are victims of "social cleansing" campaigns and subject to arbitrary arrest and torture and other inhuman or degrading treatment by authorities. They are also subject to coercion, disappearance, trafficking and murder by criminal groups.

353. The rules on the minimum age of employment are below international standards and even then are not enforced. Hazardous child labour, including in mines, is a matter of the deepest concern.

(e) Suggestions and recommendations

354. The Committee suggests that the State party take steps to ensure the effective coordination between the existing institutions involved in the areas of human rights and children's rights with a view to establishing a monitoring

mechanism for the implementation of the Convention at the national, regional and local levels, which may assess the actual situation of children and narrow the gap between the law and its practice.

355. The Committee also suggests that reliable quantitative and qualitative information be systematically collected and analysed to evaluate progress in the realization of the rights of the child and to monitor closely the situation of marginalized children, including those belonging to the poorest sectors of society and to indigenous groups.

356. The Committee recommends that the State party, in the light of articles 3 and 4 of the Convention, undertake all appropriate measures to the maximum extent of the available resources to ensure that sufficient budgetary allocation is provided to services for children, particularly in the areas of education and health, and that particular attention is paid to the protection of the rights of children belonging to vulnerable groups.

357. The Committee further recommends that firm measures be taken to ensure the right to survival for all children in Colombia, including those who live in a situation of poverty, who have been abandoned, or those who to survive are forced to live and/or work in the streets. Such measures should aim at the effective protection of children against the occurrence of violence, disappearance, assassination or alleged organ trafficking. Thorough and systematic investigation should be carried out and severe penalties applied to those found responsible for such violations of children's rights. Violations of human rights and children's rights should always be examined by civilian courts under civilian law, not military courts. The outcome of investigations and cases of convictions should be widely publicized in order to deter future offences and thus combat the perception of impunity.

358. The Committee suggests that in the field of administration of juvenile justice, greater efforts should be made to ensure respect for the standards and legal safeguards contained in the Convention, in particular in the light of articles 37, 39 and 40, and taking into due consideration other relevant international instruments adopted in this field by the United Nations. The Committee also suggests that further efforts be made to ensure that all children deprived of their liberty, who have been abandoned or who are at risk are registered and their situation closely monitored in order to ensure that they are afforded the protection provided by the Convention.

359. In regard to the problems of working children, the Committee suggests that Colombia consider ratifying ILO Convention No. 138 concerning the minimum age for admission to employment and review all relevant national legislation with a view to bringing it into conformity with the Convention and other international standards. Child labour laws should be enforced, complaints should be investigated and severe penalties imposed for violations. The Committee suggests that the Government consider seeking cooperation from ILO in this area.

360. The Committee suggests that steps be taken to strengthen the educational system, particularly in the rural areas, to improve the quality of teaching and to reduce the high number of school drop-outs. Consideration should be given to integrating the Rights of the Child in the school curriculum, namely in the framework of the United Nations Decade for Human Rights Education.

361. Educational campaigns should be undertaken to reduce violence in society and in the family and to combat prejudice on the basis of gender. Counselling services for youth should be developed as a preventive measure aimed at lowering

the high incidence of teenage pregnancies and stemming the dramatic rise in the number of single mothers. The Committee suggests that the Government more actively enlist the support of non-governmental organizations and other private organizations in raising public awareness of the rights of the child and in monitoring enforcement of the laws.

362. The Committee suggests that serious consideration be given to training in the rights of the child of professional groups working with or for children, including teachers, judges and defensores de familia y de menores. The Committee believes that a new attitude and approach should be developed, particularly as regards the police and the military, in order to enhance respect for all children, regardless of their social, economic or other background, and to reaffirm the value of their fundamental rights. In this connection, information and training programmes should be strengthened, including at the level of the community and the family, and the rights of the child should be included in the framework of the training curriculum of the professional groups concerned.

363. Further measures should be envisaged to strengthen cooperation with non-governmental organizations aiming at greater social mobilization on behalf of the rights of the child.

364. The Committee suggests that the State party seek closer cooperation with United Nations bodies and specialized agencies, including the Centre for Human Rights and its Technical Cooperation Branch, in order to obtain the assistance and expertise required and to embark upon major reform in the areas where a concern has been identified by the Committee.

365. The Committee suggests that in the light of article 44, paragraph 6, the State party widely publicize its report, the summary records of the discussion and the concluding observations adopted thereon.

15. Concluding observations: Poland

366. The Committee considered the initial report of Poland (CRC/C/8/Add.11 and HRI/CORE/1/Add.25) at its 192nd to 194th meetings (CRC/C/SR.192-194), on 16 and 17 January 1995 and adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

367. The Committee expresses its appreciation to the State party for its report and for engaging, through a high-ranking delegation, in a constructive and frank dialogue with the Committee. The Committee welcomes the written information provided by the Government of Poland in reply to the questions set out in the list of issues that was communicated to it before the session.

(b) Positive factors

368. The Committee welcomes the formal adoption of the report by the Council of Ministers.

369. The Committee further welcomes the intention expressed by the delegation to review the contents of the reservations and declarations made at the moment of the ratification of the Convention on the Rights of the Child with a view to considering their possible withdrawal.

370. The Committee is encouraged by the Government's willingness to identify and address the various problems impeding the implementation of the rights provided for in the Convention and to seek appropriate solutions, particularly in the area of child health care.

371. The Committee welcomes measures adopted by the Government to promote awareness of children's rights. It also welcomes the publication of the text of the Convention by the Polish Committee for UNICEF and the Committee for the Protection of Children's Rights, as well as the organization of several workshops and seminars. It is encouraged by steps taken with regard to the training of teachers in the rights and principles of the Convention as well as similar activities undertaken for the benefit of judges.

372. The Committee notes with appreciation the activities undertaken by the Commissioner for Civil Rights and the recent decision to re-establish the Office of the Government Plenipotentiary for Women and Family Affairs for the protection of human rights and fundamental freedoms, including children's rights.

373. The Committee appreciates that Poland, despite its present financial difficulties, is participating in international cooperation activities, including in the area of education of students from developing countries.

374. The Committee recognizes the importance accorded by the State party, at a time of critical political and economic change in the country, to introducing positive changes for the benefit of children and to pursue policies that take into account the needs of children. In that connection, it particularly welcomes the assurances given by the delegation that the Committee's concluding observations will be brought to the attention of the Council of Ministers for appropriate action.

(c) Factors and difficulties impeding the implementation of the Convention

375. The Committee notes the difficulties facing Poland in the present period of political transition and in a climate of social change and deep economic crisis. It notes that the situation of many children is affected by growing poverty and increasing unemployment.

376. The Committee also notes the difficulties that have been caused by prejudices, intolerance and other social attitudes in contradiction with the general principles of the Convention.

(d) Principal subjects of concern

377. The Committee is worried about the impact on children of the difficult economic situation prevailing in the country. In this connection, the Committee is particularly concerned as to whether appropriate measures have been undertaken to protect children, particularly those belonging to the most vulnerable groups, from being the victims of economic reform, in the light of articles 3 and 4 of the Convention.

378. The Committee is concerned that traditional attitudes still prevailing in the country may not be conducive to the realization of the general principles of the Convention, including, in particular, article 2 (principle of non-discrimination), article 3 (principle of the best interest of the child) and article 12 (respect for the views of the child).

379. The Committee is concerned about the insufficient steps taken in the framework of legal reform to bring existing legislation into full conformity with the Convention, including in the light of the general principles of the Convention, as in the case of minimum age for marriage, family law and in the area of juvenile justice.

380. The Committee is concerned at the insufficient coordination between the various ministries, as well as between central authorities and regional and local authorities, in the implementation of policies for the promotion and protection of the rights of the child.

381. The Committee expresses its concern at the lack of a systematic monitoring mechanism in the field of the rights of the child as well as at the lack of a comprehensive system of data gathering on the situation of children, which results in an inability adequately to overcome the prevailing economic and social disparities in the implementation of the Convention.

382. The Committee regrets that a national strategy in the field of the rights of the child has not yet been adopted and that specific programmes aiming at protecting vulnerable children, including through the adoption of a national plan of action, with a view to ensuring that safety nets are in place to prevent a deterioration of their rights, have not yet been established.

383. The Committee is concerned at the insufficient awareness in various sectors of the population of the principles and provisions of the Convention. In this regard, it is also concerned that society is not sufficiently sensitive to the needs and situation of particularly vulnerable children such as children infected with HIV or AIDS and Roma children. The Committee is concerned about the lack of adequate training given to professional groups, in particular social workers, law enforcement officials and judicial personnel, on the principles and provisions of the Convention.

384. The Committee regrets that appropriate measures have not yet been taken to prevent effectively and combat corporal punishment and ill-treatment of children in schools or in institutions where children may be placed. The Committee is also preoccupied by the existence on a large scale of child abuse and violence within the family and the insufficient protection afforded by the existing legislation in that regard.

385. The situation in relation to the administration of juvenile justice and in particular its compatibility with articles 37 and 40 of the Convention as well as other relevant standards such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty is a matter of concern to the Committee. In that regard, the Committee deplores the provisions relating to "juvenile demoralization", which do not appear to be compatible with the Convention.

386. The Committee notes with concern the growing use and involvement of children in criminal activities and the vulnerability of children to sexual abuse, drug abuse and alcoholism, as well as torture and ill-treatment.

(e) Suggestions and recommendations

387. The Committee encourages the Government of Poland to consider the possibility of reviewing its reservations, as well as the declaration made in relation to the exercise of the rights defined in articles 12 to 16, with a view to withdrawing them.

388. The Committee recommends that the State party strengthen the coordination between the different governmental mechanisms involved in human rights and children's rights, at both the national and local levels, and ensure a closer cooperation with non-governmental organizations, with a view to developing a comprehensive policy on children and ensuring an effective evaluation of the implementation of the Convention in the country. In this regard, the Committee suggests that consideration be given to strengthening the powers and responsibilities currently held by the Commissioner for Civil Rights and the recently re-established Office of the Government Plenipotentiary for Women and Family Affairs.

389. The Committee further recommends that the State party undertake to gather all the necessary information on the situation of children in the various areas covered by the Convention, including in relation to those children belonging to the most vulnerable groups. It also suggests that a multidisciplinary monitoring system be established to assess the progress achieved and the difficulties encountered in the realization of the rights recognized by the Convention at the central, regional and local levels, and in particular to monitor regularly the effects of economic change on children. Such a monitoring system should enable the State party to shape appropriate policies and to combat prevailing disparities and traditional prejudices.

390. The Committee encourages the Government of Poland to pay particular attention to the full implementation of article 4 of the Convention and to ensure a judicious distribution of the resources at the central, regional and local levels. Budget allocations for the implementation of economic, social and cultural rights should be ensured to the maximum extent of available resources and in the light of the best interests of the child.

391. The Committee further encourages the Government to give consideration to the adoption of a national plan of action in the field of the rights of the child and to develop specific programmes aiming at protecting children and at ensuring that safety nets are established to prevent a deterioration of their rights in the context of economic transition.

392. The Committee is of the opinion that greater efforts are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of article 42 of the Convention.

393. Further measures should also be taken to prevent a rise in discriminatory attitudes or prejudices towards vulnerable children, particularly Roma children and children infected with HIV/AIDS, in the light of article 2 of the Convention.

394. The Committee recommends that periodic training programmes on the rights of the child be organized for professional groups working with or for children, including teachers, law enforcement officials and judges, and that human rights and children's rights be included in their training curricula.

395. The Committee suggests that the State party pursue its legal reform with a view to ensuring the full conformity of its national legislation with the provisions of the Convention and to clearly reflecting its general principles, including on non-discrimination, best interests of the child and respect for the views of the child. In this regard, the Committee recommends that the 1968 Family Code be reviewed and that the safeguards currently in force in cases of intercountry adoption be improved. In this connection, the Committee encourages

the Government of Poland to consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

396. The Committee further suggests that the clear prohibition of torture or other cruel, inhuman or degrading treatment or punishment, as well as the ban on corporal punishment in the family, be reflected in the national legislation. In this field, the Committee also suggests the development of procedures and mechanisms to monitor complaints of maltreatment and cruelty within or outside the family. Moreover, special programmes should be set up to promote physical and psychological recovery and social reintegration of children victims of any form of neglect, abuse, exploitation, torture or ill-treatment in an environment which fosters the health, self-respect and dignity of the child.

397. The Committee recommends that, in the framework of its legal reform, the Government envisage addressing the situation of unaccompanied children and children having been refused refugee status and awaiting deportation in the light of the provisions and principles of the Convention. In this connection, the Committee encourages the State party to consider seeking technical assistance from UNHCR.

398. In the field of the administration of juvenile justice, the Committee suggests that a comprehensive reform be undertaken and that the Convention, in particular articles 37, 39 and 40, and other relevant international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, be seen as a guide in this revision. Particular attention should be paid to the prevention of juvenile delinquency, the protection of the rights of children deprived of liberty, as well as respect for fundamental rights and legal safeguards in all aspects of the juvenile justice system, including under the pretext of public assistance. Training programmes on the relevant international standards should be organized for all those professionals involved with the system of juvenile justice, in particular judges, law enforcement officials, correctional officers and social workers. The Committee recommends that technical assistance in this area be sought from the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch.

399. The Committee considers that greater efforts should be made to provide family education and to develop awareness of the role of the family in society and of the equal responsibilities of parents. Further steps should be taken to strengthen the system of assistance to both parents in the performance of their child-rearing responsibilities, in particular in the light of articles 18 and 27 of the Convention. It is further suggested that the problem of single parenthood be studied and that relevant programmes be established to meet the particular needs of single parents.

400. The Committee encourages the State party to address the situation of children in institutions, with a view to envisaging and making available possible alternatives to institutional care and to establishing effective monitoring mechanisms of the realization of the rights of the child placed in an institution.

401. The Committee encourages the State party to seek international technical assistance and advice from, among others, the Centre for Human Rights and UNICEF, in its efforts to implement the Convention and, in particular, to harmonize national legislation with the Convention, develop a coordinating and monitoring mechanism on children's rights and adopt a comprehensive social policy identifying the rights of the child as a clear priority.

402. Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee.

16. Concluding observations: Jamaica

403. The Committee considered the initial report of Jamaica (CRC/C/8/Add.12) at its 196th to 198th meetings (CRC/C/SR.196-198), on 18 and 19 January 1995, and adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

404. The Committee expresses its appreciation to the State party for engaging, through a high-ranking delegation in a constructive and frank dialogue with the Committee. The Committee also welcomes the written replies submitted by the Government of Jamaica in response to the Committee's list of issues that was made available to the State party before the session.

(b) Positive factors

405. The Committee welcomes the commitment shown by the Government of Jamaica in fulfilling its obligations under the Convention on the Rights of the Child. That commitment is reflected in the intention to include child rights in the constitutional reform currently under way, and in the legislative review which aims at bringing national legislation into conformity with the provisions of the Convention, including through the drafting of a child care and protection act. Other welcome developments include the intention to issue a policy statement on children, the drafting of the five-year development plan for children, the holding, in cooperation with non-governmental agencies, of workshops on steps to be taken to ensure the implementation of the Convention; the adoption of a country programme for children in especially difficult circumstances; and the establishment of the Specialist Committee on Child Abuse.

406. The Committee also notes the willingness of the Government of Jamaica to seek advice and technical assistance from United Nations bodies and specialized agencies and from national and international non-governmental institutions in the field of the promotion and protection of the rights of the child in accordance with the standards set out in the Convention.

(c) Factors and difficulties impeding the implementation of the Convention

407. The Committee notes that severe economic and social problems have had a negative impact on the situation of children. The very high level of external debt and the requirements of structural adjustment programmes which have resulted in budgetary reallocations to the detriment of social services, as well as unemployment and poverty, have affected the enjoyment of children's rights.

408. The Committee also notes the difficulties caused by some social attitudes, traditions and prejudices.

(d) Principal subjects of concern

409. The Committee is concerned that in the framework of the legislative reform under way, a number of areas remain where national legislation has not yet been brought into full conformity with the provisions of the Convention, including its general principles, as reflected in articles 2, 3, 6 and 12. In this regard, the Committee's concerns relate in particular to the definition of the child, the need to protect children against corporal punishment and harmful information, parental responsibilities, child abuse and neglect - including sexual abuse - health issues, the minimum age of access to employment and the protection of working children, as well as the administration of juvenile justice.

410. The Committee is concerned at the lack of an overall integrated mechanism to monitor the activities designed to promote and protect children's rights. The insufficient coordination between the various governmental departments, as well as between central and regional authorities, in the implementation of policies to promote and protect the rights of the child is a matter of concern. In this connection, the Committee expresses its concern at the absence of effective mechanisms for collecting statistical data and other relevant information about the status of children, which are of paramount importance for the elaboration of targeted programmes for the implementation of the rights recognized in the Convention.

411. The Committee is worried about the effect on children of the difficult economic situation and the socio-economic disparities prevailing in the country. In this regard, it is concerned as to whether sufficient budgetary allocations are made and adequate social measures are being taken to protect children, in particular those living in poverty or belonging to vulnerable groups, from being the victims of this situation, in the light of the provisions of articles 3 and 4 of the Convention.

412. The Committee is concerned at the difficulties in ensuring the registration of children at birth. Such a situation implies the non-recognition of those children as persons before the law, which will affect the level of enjoyment of their fundamental rights and freedoms. The Committee is also concerned at the difficulties in ensuring the registration of post-natal deaths.

413. The Committee is concerned that traditional attitudes prevailing in the country may not be conducive to the realization of the general principles of the Convention, in particular as regards the persistence of gender stereotypes and the existing role distribution between boys and girls, the abusive sexual practices which might affect very young girls and the discriminatory attitude towards certain categories of particularly vulnerable children such as young single mothers, disabled children, children affected by HIV/AIDS or Rastafarian children.

414. The Committee is concerned that the measures being taken to protect children from information injurious to their well-being are insufficient, in the light of the provisions of article 17 of the Convention.

415. The lack of sufficient parental guidance and understanding by many parents of their joint parental responsibilities and the occurrence of child abuse and neglect within the family are matters of concern. The high incidence of teenage pregnancies and female-headed households make children particularly vulnerable to sexual abuse, domestic violence, neglect and abandonment, sometimes leading to children becoming involved in activities conflicting with the law.

416. The Committee also takes note of the inadequacy of measures taken to implement the relevant provisions of the Convention with respect to the right to health, in particular in the area of preventive health care and health education.

417. The Committee is worried by the problems involved in the practical application of the right to education. The lack of adequate schooling facilities, the reduction of the educational budget, the law status of teachers, leading to a shortage of trained educators, and the insufficient measures to ensure vocational training are matters of serious concern.

418. With regard to child exploitation, the Committee is concerned that child labour continues to be a serious problem in Jamaica, particularly in the rural areas and in the informal sector, and it notes the lack of adequate labour legislation to protect child workers. The Committee is also worried about the growing number of children living and/or working in the streets where they are exposed to various forms of exploitation and abuse.

419. With regard to the administration of juvenile justice, the Committee is concerned that the present situation does not reflect the spirit and the provisions of the Convention. In particular, the Committee is alarmed at reports of lengthy pre-trial arrests and detention of children in police lockups, where they may not benefit from the safeguards recognized in the Convention in the light of articles 37 and 40.

(e) Suggestions and recommendations

420. The Committee recommends that the Government of Jamaica, within the framework of the constitutional reform and legislative review currently under way, ensure that the principles and provisions of the Convention are fully incorporated into the Constitution and other national legislation. In particular, it is suggested that the new legislation should address issues such as the definition of the child, the minimum age of penal responsibility and employment, parental responsibilities, the protection of children against abuse and neglect and the system of administration of juvenile justice. The Committee encourages the State party to seek assistance from the Centre for Human Rights in undertaking this law reform.

421. The Committee emphasizes the need to establish an effective and integrated system for monitoring the implementation of the Convention. It stresses the need actively to involve various sectors of the society in such a system, including governmental and non-governmental structures, both at the national and the local levels, as well as parliamentarians. A better coordination is also needed between national authorities and the various international agencies providing technical assistance, in order to ensure that due consideration is given, in the light of articles 3 and 4 of the Convention, to child-oriented projects and their effective implementation. The Committee recommends that a comprehensive system for the collection of data on children and trends on the realization of their rights be established in the State party. In this respect, the Committee recommends that the Government consider the possibility of organizing a meeting to discuss, within the framework of international cooperation, the implementation of the provisions of the Convention in the light of the present observations.

422. While acknowledging the efforts made by the State party in providing relief and social assistance to families most affected by the economic situation, the Committee emphasizes that all appropriate efforts should be undertaken to

ensure, to the maximum extent of available resources and within the framework of international cooperation, that sufficient resources are allocated to children. In this regard, due attention should be given to the needs of particularly vulnerable and poverty-stricken children so as to provide adequate safety nets for such children and their families in order to avoid a further deterioration of their rights.

423. The Committee recommends that a nationwide education campaign be launched to sensitize the population at large to the principles and provisions of the Convention and that a comprehensive strategy be worked out and implemented in order to increase awareness among children and adults about the rights of the child and to combat existing prejudices affecting vulnerable groups of children. The Committee suggests in particular that members of professional groups working with children or concerned with the application of the Convention such as judges, lawyers, police and staff in detention centres, teachers and social workers be given, including within the training curricula, systematic training on the Convention.

424. The Committee considers that greater efforts are required to implement fully the provisions of article 2 of the Convention. Measures should be taken to combat traditional attitudes and stereotypes and sensitize the society to the situation and needs of the girl child, disabled children, children affected by HIV/AIDS, children living in rural areas or socially disadvantaged children and Rastafarian children.

425. The Committee recommends that further measures be taken to facilitate the registration of children, in cooperation with non-governmental organizations and with the support of international organizations.

426. The Committee stresses the need for greater efforts in developing family education and awareness of the common parental responsibilities of both parents in the light of article 18 of the Convention. Family planning information and services should be given greater attention and resources. The Committee encourages the State party to support further measures to promote early childhood development and the provision of child care services and centres for working mothers.

427. The Committee suggests that the State party take additional measures to combat violence and abuse of children, including sexual abuse. Comprehensive school guidance programmes to address the needs of children exposed to violent conditions and crisis services for children should be expanded. Programmes for the rehabilitation and reintegration of physically or psychologically disturbed and traumatized children need to be developed, with the cooperation of non-governmental organizations.

428. The State party should ensure that adequate procedures and mechanisms be developed to deal with complaints of the ill-treatment of children, and that cases of violations of children's rights be duly investigated.

429. While recognizing important achievements of the State party in the field of immunization coverage, the Committee recommends that further efforts be made to extend and strengthen the primary health care system. Health education should also be developed so as to ensure a better understanding by the population of the benefits of preventive health care and the detrimental effects on children of the persistence of traditional practices prejudicial to their health.

430. It is suggested that a thorough review of the education system be undertaken. It is recommended that the State party request technical assistance from the United Nations Educational, Scientific and Cultural Organization (UNESCO) in this regard. Measures should be envisaged to improve the quality of education, and to intensify teacher training and vocational training.

431. With respect to child exploitation, the Committee recommends that efforts to prevent and combat child labour, particularly in the informal sector, be intensified. It is suggested that the legislative review give due consideration to the issue of the minimum age for admission to employment, and that the State party consider ratifying ILO Convention No. 138 on this subject. It is recommended that Jamaica consider seeking assistance from ILO and UNICEF in this area.

432. With regard to the administration of juvenile justice, it is suggested that the necessary measures be taken to implement fully the principles and provisions of the Convention. The Committee recommends that the law reform to be undertaken in this field adequately reflect the provisions of the Convention as well as other relevant international standards, such as the Beijing Rules, the Riyadh Guidelines and the United National Rules for the Protection of Juveniles Deprived of their Liberty. It is suggested that due attention be paid to the best interests and the dignity of the child, and that deprivation of liberty be considered as a measure of last resort and for the minimum period possible. It is recommended that the State party envisage requesting technical assistance in this area from the Centre for Human Rights as well as from the Crime Prevention and Criminal Justice Branch.

433. The Committee also recommends that the report submitted by the State party, summary records of its consideration and the concluding observations of the Committee be disseminated as wide as possible within the country.

17. Concluding observations: Denmark

434. The Committee considered the initial report of Denmark (CRC/C/8/Add.8) at its 199th to 201st meetings (CRC/C/SR.199-201), on 19 and 20 January 1995, and adopted at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

435. The Committee expresses its appreciation to the State party for its report, which has been prepared in conformity with the Committee's guidelines, and for the submission by the Government of Denmark of written replies to its written list of issues. It notes with satisfaction that the supplementary information provided by the delegation and its involvement in matters related to the Convention on the Rights of the Child made it possible to engage in a constructive dialogue with the State party.

(b) Positive factors

436. The Committee welcomes the measures taken by the Government of Denmark, since the entry into force of the Convention in 1991 to promote and protect the rights of children. In this connection, the Committee welcomes the adoption of a law which makes it illegal to possess child pornography. It also welcomes the proposed amendment to the legislation relating to rules on joint custody, visitation rights and other related matters.

437. The Committee is encouraged to note the existence of the Government's Children's Committee and the Inter-Ministerial Committee on Children, which is composed of civil servants from 16 ministries. The Committee welcomes the preparation in 1994 by the Children's Committee of an action plan to address the problems facing the weakest and most vulnerable groups of children in Denmark. It is further noted that this action plan contemplates the development of projects to address these issues through interdisciplinary cooperation within each municipality.

438. The Committee also expresses its appreciation that a government policy paper on human rights and democracy prepared in June 1993, and of relevance to international development assistance, contained a chapter devoted to the problems facing children in developing countries.

439. Likewise, the Committee notes with appreciation the creation by the Government of Denmark of the Children's Council for an initial period of three years, which will, inter alia, reflect on and review the measures taken and the policies adopted to implement the provisions and principles of the Convention in the light of the changing situation of children.

440. The Committee also welcomes the appointment of a board for ethnic equality which has been established pursuant to Act No. 466 of 30 June 1993. The Committee is further encouraged by the proposals of the Government's City Committee to establish a system of social assistance and legal information for refugee and immigrant children.

(c) Principal subjects of concern

441. The Committee notes with concern that the State party made a reservation to article 40 (2) (b) (v) of the Convention, but also notes that the Government may reconsider that reservation.

442. The Committee is concerned about the adequacy of measures taken to ensure that the principles and provisions of the Convention are widely known to children and adults alike.

443. The Committee is also concerned that certain provisions and principles of the Convention, particularly those guaranteed in articles 3, 12, 13 and 15, have not been adequately reflected in national legislation and policy-making.

444. Concerning the right of a child to know his or her origins, the Committee notes a possible contradiction between this provision of the Convention and the policy of the State party with respect to artificial insemination.

445. The Committee expresses its concern at the high percentage of single parent families and notes the need for special programmes and services to provide the necessary care for children from such families.

446. The Committee is also concerned about the application of the law and policy concerning children seeking asylum, particularly with regard to methods of interviewing children, including unaccompanied minors, and to ensuring that applications for the purpose of family reunification are dealt with in a positive, humane and expeditious manner.

447. The Committee notes that all children who have had their asylum requests rejected, but who remain in the country have had their rights to health care and education provided de facto but not de jure. It is the view of the Committee

that this situation is not fully compatible with the provisions and principles of articles 2 and 3 of the Convention.

448. The Committee also wishes to express its concern about the occurrence of the sexual exploitation of children and the problem of child labour.

(d) Suggestions and recommendations

449. The Committee wishes to encourage the State party to consider the possibility of withdrawing its reservation to the Convention, and would like to be kept informed of developments on this matter.

450. The information contained in paragraphs 14 to 21 of the report appears to indicate that the Convention has not yet been established as the framework for the work of the Children's Committee and the Inter-ministerial Committee on Children. Thus, the Committee would like to suggest that the State party consider according such status to the Convention with regard to the work of these two Committees.

451. The Committee also wishes to suggest that national mechanisms established to coordinate, evaluate and follow up the policies and measures taken to implement the Convention should work in close cooperation with local authorities and municipalities. In addition, the Committee wishes to encourage the Government of Denmark to consider strengthening its cooperation with non-governmental organizations involved in matters relating to the rights of the child.

452. In the light of the provisions of articles 3 and 4 of the Convention, the Committee wishes to emphasize the importance of ensuring that resources are made available to the maximum extent possible for the implementation of the economic, social and cultural rights of children, especially for the most vulnerable groups of children. Monitoring mechanisms are essential in this area to ensure parity in all localities as regards the provision of services to children and the effects on children of any reductions in social expenditures, particularly during periods of economic recession. The Committee also suggests that the State party consider further strengthening international cooperation and assistance, particularly for the benefit of vulnerable groups such as disabled children and children needing special protection.

453. The Committee encourages the State party to consider the possibility of providing funding to the Children's Council to enable it to undertake independent studies on issues relating to children.

454. The Committee would like to suggest that various matters raised during the discussion might deserve further study, including the reasons for the relatively high number of suicides among young people in Denmark and the development and use of social and other indicators to monitor the implementation of all the rights provided for in the Convention.

455. The Committee would like to encourage the State party to develop an ongoing and systematic approach to making the principles and provisions of the Convention widely known to children and adults alike. In addition, the Committee recommends that the principles and purposes of the Convention be made widely known in the main languages of the minority, refugee and immigrant groups living in Denmark.

456. In connection with the State party's ongoing efforts to create a greater awareness of the Convention, the Committee would also like to suggest that education about the principles and provisions of the Convention be systematically incorporated into retraining programmes and training curricula for various professional groups working with and for children such as teachers, social workers, law enforcement personnel and judges.

457. The Committee would like to emphasize that the general principles of the Convention, namely its articles 2, 3, 6 and 12, should be clearly reflected in legislation and policies. The Committee recommends to the State party that it consider the possibility of reviewing its legislation to ensure that the provisions and principles of the Convention, particularly those relating to its articles 3, 12, 13 and 15, are incorporated into national laws and procedures. In this connection, the Committee would like to suggest that further consideration be given to establishing mechanisms to ensure that children may express their views and have them taken into account in decision-making processes affecting them, including at school and within the community.

458. With regard to the implementation of article 2 of the Convention, the Committee suggests that further measures be taken to prevent and combat discrimination against vulnerable groups of children, including refugee and immigrant children and children infected with HIV or suffering from AIDS.

459. The Committee recommends that further steps should be taken to strengthen awareness of the equal responsibilities of parents in child-rearing, in particular in the light of article 18 of the Convention. It is also suggested that the situation of single parents be further studied and that relevant programmes be established to meet their particular needs.

460. The Committee encourages the Government to take steps to monitor more closely the situation of foreign children placed in adoptive families in Denmark. In addition, it recommends that the State party consider the possibility of ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

461. The Committee would also like to suggest that further measures be taken effectively to put an end to violence against children, including in the home.

462. In view of the recent adoption by the General Assembly of resolution 49/184 proclaiming the United Nations Decade for Human Rights Education, the Committee encourages the State party to consider using this opportunity to promote the incorporation of education about the Convention in school curricula. The Committee would also like to suggest that measures to teach about children's and human rights could be used as a tool to advocate further the purposes of the European Youth Campaign, and the parallel Nordic campaign, to combat racism, xenophobia, anti-Semitism and intolerance. It is also the view of the Committee that it is equally important that the teaching methods used in schools should reflect the spirit and philosophy of the Convention and the aims of education laid down in its article 29.

463. With regard to the situation of refugee children and children seeking asylum, the Committee suggests that the State party consider reviewing its Alien Act as regards its compatibility with the provisions and principles of the Convention, including that contained in its article 10 which stipulates that applications for family reunification should be dealt with in a positive, humane and expeditious manner. Similarly, with regard to the provision of health and education services to children in asylum-seeking situations, the Committee

wishes to draw attention to the provisions of article 2 of the Convention which state, inter alia, that "States parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction".

464. The Committee suggests that the State party consider reviewing its juvenile justice system in order to ensure that proceedings against persons under 18 years of age are fully compatible with the provisions of article 40 of the Convention.

465. The Committee recommends that the State party undertake further measures to implement the provisions of articles 32, 34 and 39 of the Convention relating to the prevention and protection of children from economic and sexual exploitation and their rehabilitation and recovery. Specifically, with regard to the issue of child labour, the Committee encourages the Government to consider the possibility of ratifying ILO Convention No. 138 concerning minimum age for employment.

466. Finally, the Committee appreciates the willingness of the Government of Denmark to publish the initial report of Denmark, the summary records of the meetings of the Committee in which the report was examined and the concluding observations of the Committee on the report, and recommends that these documents be disseminated as widely as possible in Denmark.

18. Concluding observations: United Kingdom of Great Britain and Northern Ireland

467. The Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland (CRC/C/11/Add.1) at its 204th-206th meetings (CRC/C/SR.204-206), on 24 and 25 January 1995, and adopted, at its 208th meeting, on 26 January 1995, the following concluding observations.

(a) Introduction

468. The Committee appreciates the opportunity to engage in a constructive dialogue with the State party and welcomes the timely submission by the Government of the written responses to the Committee's list of issues. The Committee welcomes the additional oral information provided by the delegation of the State party which greatly assisted in clarifying many of the issues raised by the Committee. The additional oral information was particularly useful, in view of the Committee's observation that the initial report of the State party lacked sufficient information on the factors and difficulties impeding the implementation of various rights provided for in the Convention on the Rights of the Child.

(b) Positive factors

469. The Committee takes note of the adoption by the State party of a Children's Act applicable to England and Wales. The Committee also observes that the State party has extended the application of the Convention to many of its dependent territories. The Committee welcomes the intention of the State party to consider withdrawing the reservation it made to article 37 of the Convention as it relates to the procedures governing children's hearings in Scotland.

470. Moreover, the Committee welcomes the initiatives being taken by the State party to reduce the incidence of sudden infant death syndrome and to combat the problem of bullying in school. In addition, the Committee is encouraged by the

steps taken to address the issue of sexual abuse of children, including through the development of the "Working Together" initiative, which advocates and promotes an interdisciplinary approach to addressing this serious problem.

471. The Committee welcomes the information it received concerning the commitment of the Government to review its legislation in the area of the employment of children and to present new legislation in matters relating to the family, domestic violence and disability. Likewise, the Committee welcomes the measures being taken to pass further legislation in the area of adoption, including the intention of the Government to ratify the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The Committee takes note of the Code of Practice for Children with Special Educational Needs, which has statutory force and has been developed within the framework of the 1993 Education Act.

472. The Committee takes note of the Government's commitment to extend the provision of pre-school education. The Committee is equally appreciative of the recent initiative taken by the State party to require local authorities, in conjunction with health authorities and non-governmental organizations, to draw up Children's Service Plans.

(c) Principal subjects of concern

473. The Committee is concerned about the broad nature of the reservations made to the Convention by the State party which raise concern as to their compatibility with the object and purpose of the Convention. In particular, the reservation relating to the application of the Nationality and Immigration Act does not appear to be compatible with the principles and provisions of the Convention, including those of its articles 2, 3, 9 and 10.

474. The Committee remains unclear about the extent to which an effective coordinating mechanism exists for the implementation of the Convention. It is concerned whether sufficient consideration has been given to the establishment of mechanisms, including of an independent nature, to coordinate and monitor the implementation of the rights of the child.

475. With respect to article 4 of the Convention, the Committee is concerned about the adequacy of measures taken to ensure the implementation of economic, social and cultural rights to the maximum extent of available resources. It appears to the Committee that insufficient expenditure is allocated to the social sector both within the State party and within the context of international development aid; the Committee wonders whether sufficient consideration has been given to the enjoyment of fundamental rights by children belonging to the most vulnerable groups in society.

476. The Committee notes that the initial report of the State party contains little information on the difficulties experienced by children living in Northern Ireland and the effect on children of the operation of emergency legislation there. The Committee is concerned about the absence of effective safeguards to prevent the ill-treatment of children under the emergency legislation. In this connection, the Committee observes that under the same legislation it is possible to hold children as young as 10 for seven days without charge. It is also noted that the emergency legislation which gives the police and the army the power to stop, question and search people on the street has led to complaints of children being badly treated. The Committee is concerned about this situation which may lead to a lack of confidence in the system of investigation and action on such complaints.

477. The Committee is concerned about the apparent insufficiency of measures taken to ensure the implementation of the general principles of the Convention, namely the provisions of its articles 2, 3, 6 and 12. In this connection, the Committee observes in particular that the principle of the best interests of the child appears not to be reflected in legislation in such areas as health, education and social security, which have a bearing on the respect for the rights of the child.

478. With regard to article 2 of the Convention relating to non-discrimination, the Committee expresses its concern at the insufficient measures undertaken to ensure its implementation. In particular, it is concerned about the possible adverse effects on children of the restrictions applied to unmarried fathers in transmitting citizenship to their children, in contradiction of the provisions of articles 7 and 8 of the Convention. In addition, the Committee is concerned that children of certain ethnic minorities appear to be more likely to be placed in care.

479. Furthermore, in the light of article 6 of the Convention, the Committee expresses its concern at the health status of children of different socio-economic groups and those belonging to ethnic minorities.

480. In relation to the implementation of article 12, the Committee is concerned that insufficient attention has been given to the right of the child to express his/her opinion, including in cases where parents in England and Wales have the possibility of withdrawing their children from parts of the sex education programmes in schools. In this as in other decisions, including exclusion from school, the child is not systematically invited to express his/her opinion and those opinions may not be given due weight, as required under article 12 of the Convention.

481. The Committee notes with concern the increasing number of children living in poverty. The Committee is aware that the phenomenon of children begging and sleeping on the streets has become more visible. The Committee is concerned that the changed regulations regarding benefit entitlements to young people may have contributed to the increase in the number of young homeless people. The rate of divorce and the number of single-parent families and teenage pregnancies in the State party are noted with concern. These phenomena raise a number of issues, including as regards the adequacy of benefit allowances and the availability and effectiveness of family education.

482. The Committee is disturbed about the reports it has received on the physical and sexual abuse of children. In this connection, the Committee is worried about the national legal provisions dealing with reasonable chastisement within the family. The imprecise nature of the expression of reasonable chastisement as contained in these legal provisions may pave the way for it to be interpreted in a subjective and arbitrary manner. Thus, the Committee is concerned that legislative and other measures relating to the physical integrity of children do not appear to be compatible with the provisions and principles of the Convention, including those of its articles 3, 19 and 37. The Committee is equally concerned that privately funded and managed schools are still permitted to administer corporal punishment to children in attendance there which does not appear to be compatible with the provisions of the Convention, including those of its article 28, paragraph 2.

483. The administration of the juvenile justice system in the State party is a matter of general concern to the Committee. The low age of criminal responsibility and the national legislation relating to the administration of

juvenile justice seem not to be compatible with the provisions of the Convention, namely articles 37 and 40.

484. The Committee remains concerned about certain of the provisions of the Criminal Justice and Public Order Act 1994. The Committee notes that its provisions provide, inter alia, for the possibility of applying "secure training orders" on children aged 12 to 14 in England and Wales. The Committee is concerned about the compatibility of the application of such secure training orders on young children with the principles and provisions of the Convention in relation to the administration of juvenile justice, particularly its articles 3, 37, 39 and 40. In particular, the Committee is concerned that the ethos of the guidelines for the administration and establishment of Secure Training Centres in England and Wales and the Training Schools in Northern Ireland appears to lay emphasis on imprisonment and punishment.

485. The Committee is equally concerned that children placed in care under the social welfare system may be held in training schools in Northern Ireland and may be placed in the future in Secure Training Centres in England and Wales.

486. The Committee is also concerned that the Criminal Evidence (Northern Ireland) Order 1988 appears to be incompatible with article 40 of the Convention, in particular with the right to presumption of innocence and the right not to be compelled to give testimony or confess guilt. It is noted that silence in response to police questioning can be used to support a finding of guilt against a child over 10 years of age in Northern Ireland. Silence at trial can be similarly used against children over 14 years of age.

487. The situation of Gypsy and Traveller children is a matter of concern to the Committee, especially with regard to their access to basic services and the provision of caravan sites.

(d) Suggestions and recommendations

488. The Committee wishes to encourage the State party to consider reviewing its reservations to the Convention with a view to withdrawing them, particularly in the light of the agreements made in this regard at the World Conference on Human Rights and incorporated in the Vienna Declaration and Programme of Action.

489. The Committee would like to suggest that the State party consider establishing a national mechanism for the purpose of coordinating the implementation of the Convention, including between governmental departments and between central and local governmental authorities. Furthermore, the Committee suggests that the State party establish a permanent mechanism for the monitoring of the Children's Act and the Convention throughout the United Kingdom. It is further suggested that ways and means be established to facilitate regular and closer cooperation between the Government and the non-governmental community, particularly with those non-governmental organizations closely involved in monitoring the respect for the rights of the child in the State party.

490. With regard to the implementation of article 4 of the Convention, the Committee would like to suggest that the general principles of the Convention, particularly the provisions of its article 3, relating to the best interests of the child, should guide the determination of policy-making at both the central and local levels of government. This approach is of relevance to decisions taken about the allocation of resources to the social sector at the central and local governmental levels, including with regard to that allocation of benefits to children who have completed compulsory schooling and have no full-time

employment. The Committee notes the importance of additional efforts to overcome the problems of growing social and economic inequality and increased poverty.

491. With regard to matters relating to the health, welfare and standard of living of children in the United Kingdom, the Committee recommends additional measures to address, as a matter of priority, problems affecting the health status of children of different socio-economic groups and of children belonging to ethnic minorities and to the problems of homelessness affecting children and their families.

492. The Committee recommends that in line with the provisions of article 42 of the Convention, the State party should undertake measures to make the provisions and principles of the Convention widely known to adults and children alike. It is also suggested that teaching about children's rights should be incorporated into the training curricula of professionals working with or for children, such as teachers, the police, judges, social workers, health workers and personnel in care and detention institutions.

493. The Committee would like to suggest that greater priority be given to incorporating the general principles of the Convention, especially the provisions of its article 3, relating to the best interests of the child, and article 12, concerning the child's right to make their views known and to have these views given due weight, in the legislative and administrative measures and in policies undertaken to implement the rights of the child. It is suggested that the State party consider the possibility of establishing further mechanisms to facilitate the participation of children in decisions affecting them, including within the family and the community.

494. The Committee recommends that race relations legislation be introduced in Northern Ireland as a matter of urgency and is encouraged by the information presented by the delegation of the State party regarding the Government's intention to follow up on this matter.

495. The Committee would also like to suggest that a review be undertaken of the nationality and immigration laws and procedures to ensure their conformity with the principles and provisions of the Convention.

496. The Committee recommends that further measures be undertaken to educate parents about their responsibilities towards their children, including through the provision of family education which should emphasize the equal responsibilities of both parents. While recognizing that the Government views the problem of teenage pregnancies as a serious one, the Committee suggests that additional efforts, in the form of prevention-oriented programmes which could be part of an educational campaign, are required to reduce the number of teenage pregnancies.

497. The Committee is also of the opinion that additional efforts are required to overcome the problem of violence in society. The Committee recommends that physical punishment of children in families be prohibited in the light of the provisions set out in articles 3 and 19 of the Convention. In connection with the child's right to physical integrity, as recognized by the Convention, namely in its articles 19, 28, 29 and 37, and in the light of the best interests of the child, the Committee suggests that the State party consider the possibility of undertaking additional education campaigns. Such measures would help to change societal attitudes towards the use of physical punishment in the family and

foster acceptance of the legal prohibition of the physical punishment of children.

498. With regard to matters relating to education, the Committee suggests that children's right to appeal against expulsion from school be effectively ensured. It is also suggested that procedures be introduced to ensure that children are provided with the opportunity to express their views on the running of the schools in matters of concern to them. Further, the Committee recommends that the training curricula of teachers should incorporate education about the Convention. It is recommended that teaching methods should be inspired by and reflect the spirit and philosophy of the Convention, in the light of the general principles of the Convention and the provisions of its article 29. The Committee would also like to suggest that the State party consider the possibility of introducing education about the Convention into school curricula. Legislative measures are recommended to prohibit the use of corporal punishment in privately funded and managed schools.

499. The Committee also suggests that the State party provide further support to the teaching of the Irish language in schools in Northern Ireland and to integrated education schooling.

500. The Committee recommends that the emergency and other legislation, including in relation to the system of administration of juvenile justice at present in operation in Northern Ireland should be reviewed to ensure its consistency with the principles and provisions of the Convention.

501. The Committee recommends that law reform be pursued in order to ensure that the system of the administration of juvenile justice is child-oriented. The Committee also wishes to recommend that the State party take the necessary measures to prevent juvenile delinquency as set down in the Convention and complemented by the Riyadh Guidelines.

502. More specifically, the Committee recommends that serious consideration be given to raising the age of criminal responsibility throughout the areas of the United Kingdom. The Committee also recommends the introduction of careful monitoring of the new Criminal Justice and Public Order Act 1994 with a view to ensuring full respect for the Convention. In particular, the provisions of the Act which allow for, inter alia, placement of secure training orders on children aged between 12 and 14, indeterminate detention, and the doubling of sentences which may be imposed on 15- to 17-year-old children should be reviewed with respect to their compatibility with the principles and provisions of the Convention.

503. Within the context of the law reform being considered with regard to matters relating to the employment of children, the Committee expresses the hope that the State party will consider reviewing its reservation with a view to its withdrawal. Similarly, the Committee expresses the hope that the Government will consider the possibility of becoming a party to ILO Convention No. 138.

504. The issues of sexual exploitation and drug abuse as they affect children should also be addressed on an urgent basis, including with regard to the undertaking of further measures to prevent them.

505. The Committee is of the view that the implementation of the provisions of article 39 of the Convention deserves greater attention. Programmes and strategies should be developed to ensure that measures are in place to promote the physical and psychological recovery and social reintegration of a child

victim of, inter alia, neglect, sexual exploitation, abuse, family conflict, violence, drug abuse, as well as of children in the system of administration of justice. Such measures should be applied within the national context but also within the framework of international cooperation.

506. In addition, the Committee recommends proactive measures for the rights of children belonging to Gypsy and Traveller communities, including their right to education, and that a sufficient number of adequately appointed caravan sites for these communities be secured.

507. The Committee also recommends that information on the implementation of the Convention in the dependent territory of Hong Kong be submitted to the Committee by 1996.

508. The Committee encourages the State party to disseminate widely the State party's report, summary records of the discussion of the report within the Committee and the concluding observations adopted by the Committee following its consideration of the report. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up. In this regard, the Committee suggests that closer cooperation with non-governmental organizations be pursued.

19. Concluding observations: Nicaragua

509. The Committee considered the initial report of Nicaragua (CRC/C/3/Add.25) at its 211th to 213th meetings (CRC/C/SR.211-213), on 22 and 23 May 1995, and adopted, at its 233rd meeting, on 9 June 1995, the following concluding observations.

(a) Introduction

510. The Committee takes note that the problems facing children in Nicaragua are expressed frankly in the report of the State party. The Committee is of the view that the dialogue with the Government and its representatives, including through their written and oral responses to questions posed by the Committee, is constructive and valuable in clarifying the measures being taken and considered for the implementation of the Convention on the Rights of the Child.

(b) Positive factors

511. The Committee notes that the Government recognizes that major efforts are required to address the serious problems facing children in the State party. The Committee shares the opinion of the State party that social and economic development in addition to legislative reform are required to improve the situation of children. In this connection, the Committee notes that at the national level the Government has included the situation of children as a topic on its agenda on social development and that at the local level initiatives have been taken by the mayors of towns to allocate further resources to the educational sector.

512. With respect to legislative reform, the Committee takes note, in particular, of the State party's consideration of the possibility of amending the Constitution to include a provision which would afford constitutional status to the Convention. It is also noted that the National Assembly of Nicaragua has sponsored major changes in some laws that relate to the sexual abuse of women

and children and that it is engaged in a comprehensive examination of various laws affecting children so as to ensure their compatibility with the provisions of the Convention.

513. The Committee welcomes the establishment in 1994 of the National Commission for the Promotion and Defence of the Rights of Children and the proposed creation of an Office of Ombudsman for Children. It also notes with satisfaction that the National Commission has contacts with the Nicaraguan Coordinating Body for Non-Governmental Organizations Assisting Children and that this is seen as facilitating the coordination and carrying out of various overall plans and events which have an impact on children.

514. The Committee notes with appreciation that the State party views the obligation to report under the Convention as an opportunity to prepare a document and to engage in a dialogue that would serve as a reference point and a source of inspiration for the taking of more concrete action in regard to children.

(c) Factors and difficulties impeding the implementation of the Convention

515. The Committee recognizes that natural disasters and the years of internal conflict have had serious negative consequences for the situation of children and families in Nicaragua.

516. The Committee is aware that as Nicaragua has one of the highest external debts in the world, the burden of debt repayment is particularly heavy. The Committee notes that Nicaragua is one of the poorest countries in Latin America, where unemployment and underemployment affects almost 60 per cent of the population and where more than 70 per cent of the population is living in poverty, with almost 25 per cent living in extreme poverty. In view of this reality, as well as the fact that over 50 per cent of the population of Nicaragua is under 18, the Committee notes that these factors provide further indications of the difficulties confronting children in Nicaragua.

(d) Principal subjects of concern

517. The Committee is concerned that traditional cultural attitudes towards children and their role in the family and society may contribute to hampering the implementation of the Convention. In this connection, the Committee notes that an understanding of children as a subject of rights does not appear to be fully reflected in legislative and other measures in the State party and as a result may prevent children in Nicaragua from fully enjoying their fundamental rights as recognized in the Convention.

518. The Committee notes with concern that there is a lack of awareness and understanding in the country of the principles and provisions of the Convention. This lacuna is also reflected in the absence of a distinct child rights component in training programmes for professional groups working with or for children.

519. The Committee remains concerned at the apparent lack of sufficient coordination of the various efforts to implement the Convention.

520. The Committee also views the inadequacy of mechanisms to gather and analyse statistical and other information relating to different groups of children, including indigenous children, girl children and children living in poverty, as

a major problem to ensuring the effective monitoring of the implementation of the Convention.

521. The Committee notes with concern the lack of full conformity of present and proposed national legislation with matters relating to the legal definition of the child. It is the Committee's view that the early and lower marriageable age for girls as compared with boys raises serious questions as to their compatibility with the principles and provisions of the Convention, in particular those laid down in its articles 2, 3 and 6.

522. The legislative reforms setting the age of completion of education at 12 years, and the minimum age for employment at 14 years, rendering children between the ages of 12 and 14 vulnerable to the risk of economic exploitation, raise considerable concerns in the Committee.

523. The Committee remains concerned about the apparent persistence of discriminatory attitudes directed towards girls, children born out of wedlock, children from poorer income groups and children belonging to minority and indigenous groups.

524. The Committee is concerned about the continuing difficulties encountered in ensuring the birth registration of children, particularly at the rural level. The registry of all children is necessary, in particular, to ensure their recognition as persons before the law and the fuller enjoyment of their rights and, in general, to facilitate the effective monitoring of the situation of children and thus assist in the development of suitably appropriate and targeted programmes.

525. The Committee shares the concern expressed by the State party about the fact that children are often abused in the media to the detriment of their personality and status as minors.

526. The Committee is concerned about the adequacy of measures taken to ensure that the conditions in institutions caring for children are regularly monitored and supervised. Equally, the Committee remains concerned about the sufficiency of measures taken to implement the provisions of the Convention relating to adoption, particularly intercountry adoption, and with respect to combating trafficking in children.

527. The Committee is concerned about the relatively high maternal mortality rate, especially as it affects young girls, in Nicaragua. It also notes that clandestine abortions and teenage pregnancies appear to be a serious problem in the country.

528. The Committee notes that Nicaraguan women on average give birth to five children, that the percentage of single parent households is comparatively high, that families have difficulties in ensuring an adequate standard of living for their children and that there are children in Nicaragua who suffer from stunting and malnutrition.

529. The Committee remains worried about the sufficiency of measures being taken to improve access to education and to reduce the high rates of school drop-out and repetition of classes.

530. The Committee is deeply concerned about the problems of abuse and violence, which persist in the family and society in general. In view of this reality, the adequacy of measures to prevent such abuse and violence, to respond to

children's reports of their abuse, to safeguard children who report abuse and to prevent the impunity of those who have committed abuse against children remain a matter of considerable concern to the Committee.

531. The Committee expresses its concern about the implementation of the provisions and principles of the Convention in relation to the administration of juvenile justice. The Committee notes the absence of measures to create a juvenile justice system moulded to the needs and protecting the rights of children. In this regard, it is concerned that as mechanisms for alternative treatment are lacking, the system currently in place appears to be unable to respond to the needs of children below the age of 15 who have behavioural problems. Similarly, with respect to the situation of 15- to 18-year-olds who find themselves involved with the administration of justice system, there appears to be an absence of alternative measures to detention for such children and to difficulties in ensuring the separation of juveniles from adults in prisons. The Committee also takes note of the information contained in the State party report which highlights the problems associated with the lack of sufficient training in children's rights of law enforcement officials, which has contributed to infringements of the rights of the child being committed.

532. With respect to child exploitation, the Committee is concerned that child labour remains a serious problem in Nicaragua, especially in view of the high level of adult unemployment existing in the country. It is concerned about the apparent inadequacy of measures to address this issue, including for the many children working in the informal sector, including in domestic service, where no effective mechanisms appear to exist for the protection of children engaged in such work.

533. The Committee expresses its grave concern that the increasing number of children who make a living by selling and begging on the streets are especially vulnerable to sexual exploitation.

(e) Suggestions and recommendations

534. The Committee recommends that, within the context of the legal reform presently being undertaken by the Government of Nicaragua, national legislation be made compatible with the principles and provisions of the Convention. Such reform should address the concerns raised by the Committee during its discussions with the State party, including with regard to matters relating to the legal definition of the child. With respect to the matter of the status of the Convention in national legislation, the Committee would like to encourage the State party to pursue its consideration of according constitutional status to the Convention.

535. The Committee is of the view that further attention and priority should be given to establishing an effective system of coordinating the implementation of the Convention. In this regard, the Committee would like to suggest that the National Commission for the Promotion and Defence of the Rights of Children be strengthened.

536. The Committee recommends that measures be taken to improve the system for collecting statistical and other data about the status of children. The Committee would also like to indicate that the development of such mechanisms would provide an important opportunity for raising awareness of the implications of the ratification of the Convention and its effective implementation.

537. The Committee would also like to express the hope that an office of an ombudsman for children will be created with a view to promoting and protecting the rights of the child.

538. The Committee recommends that the State party consider using the Convention as a tool for the prevention of violence and abuse. One way to achieve this, the Committee suggests, is by teaching children to defend their rights and for trained individuals working with and for children to transmit the values of the Convention to children. Thus, the Committee recommends that education about the Convention be incorporated into non-formal and formal educational curricula and into training and retraining programmes for professionals working with or for children, including teachers, health workers, social workers, judges and law enforcement officials.

539. The Committee suggests that the Government develop public campaigns on the rights of the child with a view to effectively addressing the problem of persisting discriminatory attitudes and practices against particular groups of children such as girl children, children belonging to a minority or indigenous group and poor children. It is also suggested that further proactive measures be developed to improve the status of these groups of children.

540. With respect to article 4, and notwithstanding the economic difficulties faced by the State party, the Committee recognizes that more substantial budgetary allocations are required to increase the coverage and quality of services for children, with particular attention being paid to the most vulnerable groups of children, in the light of articles 2 and 3 of the Convention. In this regard, the Committee wishes to encourage and express its support for initiatives designed to facilitate international cooperation in assisting the State party to meet its obligations under the Convention.

541. With respect to the implementation of articles 12, 13 and 15 of the Convention, the Committee recommends that consideration be given to extending and broadening the involvement of children in the initiatives being undertaken within the State party to facilitate children's participation in decisions affecting them.

542. The Committee recommends that, on an urgent basis, measures be taken to ensure the protection of the child from information and material injurious to his or her well-being and to protect the child's right to privacy, in the light of the provisions of articles 16 and 17 of the Convention.

543. The Committee recommends that the State party consider the possibility of focusing its attention on the organization of a more comprehensive and coordinated campaign in order to address the interrelated family and social-related problems of: the high number of family separations, the relatively high rates of maternal mortality and teenage pregnancy, the number of children who are victims of violence or abuse and the rising number of children living or begging on the street who are at risk of sexual exploitation.

544. The Committee expresses the hope that the State party will consider the possibility of ratifying the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

545. In view of the general problems that exist with regard to the health status of the population, particularly children, the Committee suggests that the provision of primary health care be emphasized, with family planning services and knowledge of nutrition as two of its major components, and that strategies

be developed to provide families with the necessary technical and other support to grow their own food.

546. The Committee suggests that greater efforts should be directed to developing low-cost but effective strategies to increase substantially the enrolment and attendance rates of children in education and to improve the quality and appropriateness of education. The introduction of such measures would assist in further signalling the commitment which exists to attracting children to attend school as well as to convincing families of the value of education. It is also suggested that the Government consider extending the provision of compulsory education to nine years of schooling, thereby ensuring at the same time that the age of completion of compulsory education would be harmonized with the minimum age for employment. In the light of the recent launching of the United Nations Decade for Human Rights Education, the Committee encourages the State party to consider using this opportunity to promote the incorporation of education about the Convention in curricula for schoolchildren, it being understood that the children would be taught about their rights by suitably trained and qualified teachers.

547. The Committee recommends that an administration of juvenile justice system be established in line with the relevant provisions of the Convention, in particular its articles 37, 39 and 40, and in light of other related international instruments. In this connection, the Committee wishes to emphasize the importance and relevance of the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), which envisage and call for the strengthening and supporting of the vital role of the family and community in order to help eliminate the social conditions leading to such problems as delinquency, crime and drug addiction and to assist the families and communities facing such problems.

548. It is the view of the Committee that legal reforms and a preventive campaign should be urgently introduced to address the issue of child labour. The Committee would like to suggest that the Government of Nicaragua consider requesting further technical assistance from ILO in these matters.

549. The Committee welcomes the invitation addressed to the Committee to visit Nicaragua. The Committee proposes that the State party prepare a publication of the report of Nicaragua, the summary records of the discussion with the State party and the concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention, its implementation and monitoring, both within the Government and the general public, including with the concerned non-governmental organization community.

20. Concluding observations: Canada

550. The Committee considered the initial report of Canada (CRC/C/11/Add.3) at its 214th to 217th meetings (CRC/C/11/Add.3) at its 214th to 217th meetings (CRC/C/SR.214-217), on 24 and 26 May 1995, and adopted, at its 233rd meeting, on 9 June 1995, the following concluding observations.

(a) Introduction

551. The Committee expresses its appreciation to the State party for its comprehensive report, which follows the Committees's guidelines, and for engaging, through a high-ranking delegation, in a constructive and frank

dialogue with the Committee. The Committee welcomes the written information provided by the delegation of Canada in reply to the questions included in the list of issues that was communicated to it before the session, as well as the additional information provided during the course of the discussion, which enabled the Committee to assess better the situation of the rights of the child in Canada. The Committee further welcomes the additional written information submitted by the State party following the dialogue held with the Committee.

(b) Positive factors

552. The Committee appreciates the State party's firm commitment to adopting further measures for the implementation of the rights of the child as recognized in the Convention on the Rights of the Child. The Committee considers especially noteworthy the fact that Canada played a leading role in the drafting process of the Convention and in convening the 1990 World Summit for Children.

553. The Committee notes with satisfaction the general strengthening of the protection of human rights, particularly children's rights, through the Canadian Charter of Rights and Freedoms and through the adoption of legislative measures in the field of children's rights. The Committee also welcomes the establishment of the National Council for Crime Prevention, which specifically purports to implement better the Convention provisions in the area of juvenile justice.

554. The Committee further welcomes the establishment of the Children's Bureau following the World Summit for Children and its role in ensuring that the Convention is taken into account in government policies, as well as in enabling consultations between the authorities and the private and voluntary sectors. The Committee notes with satisfaction the numerous activities undertaken to disseminate information relating to the Convention.

555. The Committee welcomes the commitment expressed by the delegation to adopt measures to face increasing poverty and reduce existing disparities, in spite of difficulties arising from the present economic recession. The Committee notes in this regard the establishment of the Family Support Enforcement Fund intended to help provincial and territorial governments in the field of promotion and protection of children's rights.

556. The Committee welcomes specific action taken by schools and local community services to identify children's disabilities at an early stage.

557. The Committee also takes note of the efforts made by Canada in participating in international projects in cooperation with UNICEF and other governmental or international non-governmental organizations.

(c) Principal subjects of concern

558. The Committee, while taking note of the statement, reflected in the report of the State party, that the federal nature of Canada is a complicating factor in the implementation of the Convention, and that the exact division of responsibilities between federal, provincial and territorial governments over matters affecting children may involve an element of uncertainty, stresses that Canada is bound to observe fully the obligations assumed by ratifying the Convention. The Committee is concerned that sufficient attention has not been paid to the establishment of a permanent monitoring mechanism that will enable an effective system of implementation of the Convention in all parts of the country. Disparities between provincial or territorial legislation and

practices that affect the implementation of the Convention are a matter of concern to the Committee. It seems, for instance, that the definition of the legal status of children born out of wedlock being a matter of provincial responsibility may lead to different levels of legal protection of such children in various parts of the country.

559. The Committee notes with concern that the State party made reservations to articles 21 and 37 (c) of the Convention.

560. The Committee expresses its concern about the value of the Convention in domestic law. Certain basic provisions and principles of the Convention, particularly those relating to non-discrimination, the best interests of the child and the respect for the views of the child, have not always been adequately reflected in national legislation and policy-making.

561. The Committee is concerned by the emerging problem of child poverty, especially among vulnerable groups. It is also worried by the increasing number of children who are brought up by single parent families, or in other problematic environments. While appreciating the programmes already set up, the Committee emphasizes the need for special programmes and services to provide the necessary care, especially in terms of education, housing and nutrition, for such children.

562. The Committee recognizes the efforts made by Canada for many years in accepting a large number of refugees and immigrants. Nevertheless, the Committee regrets that the principles of non-discrimination, of the best interests of the child and of the respect for the views of the child have not always been given adequate weight by administrative bodies dealing with the situation of refugee or immigrant children. It is particularly worried by the resort by immigration officials to measures of deprivation of liberty of children for security or other related purposes and by the insufficient measures aimed at family reunification with a view to ensuring that it is dealt with in a positive, humane and expeditious manner. The Committee specifically regrets the delays in dealing with reunification of the family in cases where one or more members of the family have been considered eligible for refugee status in Canada as well as cases where refugee or immigrant children born in Canada may be separated from their parents facing a deportation order.

563. Further measures seem to be needed to effectively prevent and combat all forms of corporal punishment and ill-treatment of children in schools or in institutions where children may be placed. The Committee is also preoccupied by the existence of child abuse and violence within the family and the insufficient protection afforded by the existing legislation in that regard.

564. The Committee further notes the urgent need to ensure adequate protection of children from harmful information, and particularly from television programmes inciting or containing violence.

565. The increasing incidence of suicide among young people is an additional cause for concern.

566. While recognizing the steps already taken, the Committee notes with concern the special problems still faced by children from vulnerable and disadvantaged groups, such as aboriginal children, with regard to the enjoyment of their fundamental rights, including access to housing and education.

(d) Suggestions and recommendations

567. The Committee wishes to encourage Canada to review its reservations to the Convention and to consider the possibility of withdrawing them, and would like to be kept informed of developments on this fundamental matter.

568. The Committee encourages the State party to pursue and develop its policy aimed at disseminating information and increasing public awareness of the Convention. It recommends that a nationwide education campaign be launched, in the framework of the United Nations Decade for Human Rights Education, to sensitize the population at large - including children themselves - to the principles and provisions of the Convention, and that consideration be given to incorporating the rights of the child in the school curricula. At the same time, the State party should integrate the Convention into the training curricula for professional groups dealing with children, especially judges, lawyers, immigration officers, peace-keepers and teachers.

569. The Committee recommends that the State party strengthen the cooperation between mechanisms existing in its legal and administrative framework and enhance the coordination between federal, provincial and territorial authorities in the field of children's rights with a view to eliminating any possibility of disparity or discrimination in the implementation of the Convention and ensuring that the Convention is fully respected in all parts of its territory. The Committee also recommends that emphasis be placed on federal monitoring mechanisms - such as the Committee of Officials on Human Rights - with a view to making them more effective. The establishment of a comprehensive network for the collection of data covering all areas of the Convention and taking into account all groups of children within Canadian jurisdiction is recommended. Cooperation in the field of the rights of the child between the authorities and non-governmental organizations as well as aboriginal communities should also be further strengthened.

570. The Committee encourages the Government of Canada to ensure the full implementation of article 4 of the Convention in the light of the general principles of the Convention, in particular the best interests of the child. Available resources should be allocated to their maximum extent to ensure the implementation of economic, social and cultural rights. The Committee also emphasizes the need to take immediate steps to tackle the problem of child poverty and make every feasible effort to ensure that all families, particularly single parent families, have adequate resources and facilities.

571. The Committee also encourages the State party to use the principles and provisions of the Convention as a framework for the programme of international development assistance.

572. In view of the fact that the Convention can only be referred to before the courts as a means of interpretation of national legislation, the Committee recommends that further steps be taken to ensure the effective implementation of the Convention at the national level. In this regard, the Committee also wishes to emphasize the importance of taking action to ensure that the general principles of the Convention, particularly those relating to non-discrimination, the best interests of the child and the respect for the views of the child as guaranteed under articles 2, 3 and 12, respectively, are reflected in domestic law. With regard to article 12 in particular, it is recommended that children be provided with the opportunity to be heard in judicial and administrative proceedings.

573. The Committee recommends that the State party pay particular attention to the implementation of article 22 of the Convention as well as of the general principles of the Convention, in particular the best interests of the child and respect for his or her views, in all matters relating to the protection of refugee and immigrant children, including in deportation proceedings. The Committee suggests that every feasible measure be taken to facilitate and speed up the reunification of the family in cases where one or more members of the family have been considered eligible for refugee status in Canada. Solutions should also be sought to avoid expulsions causing the separation of families, in the spirit of article 9 of the Convention. More generally, the Committee recommends that the Government address the situation of unaccompanied children and children having been refused refugee status and awaiting deportation in the light of the Convention's provisions. Deprivation of liberty of children, particularly unaccompanied children, for security or other purposes should only be used as a measure of last resort in accordance with article 37 (b) of the Convention.

574. The Committee suggests that the State party examine the possibility of reviewing the penal legislation allowing corporal punishment of children by parents, in schools and in institutions where children may be placed. In this regard and in the light of the provisions set out in articles 3 and 19 of the Convention, the Committee recommends that the physical punishment of children in families be prohibited. In connection with the child's right to physical integrity as recognized by the Convention, namely in its articles 19, 28 and 37, and in the light of the best interests of the child, the Committee further suggests that the State party consider the possibility of introducing new legislation and follow-up mechanisms to prevent violence within the family, and that educational campaigns be launched with a view to changing attitudes in society on the use of physical punishment in the family and fostering the acceptance of its legal prohibition.

575. The Committee recommends that the State party strengthen its efforts to ensure that children from vulnerable and disadvantaged groups, such as aboriginal children, benefit from positive measures aimed at facilitating access to education and housing. Research should be developed on the problems relating to the growing rate of infant mortality and suicide among children within aboriginal communities.

576. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report presented by Canada be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee.

21. Concluding observations: Belgium

577. The Committee considered the initial report of Belgium (CRC/C/11/Add.4) at its 222nd to 224th meetings (CRC/C/SR.222-224), held on 31 May and 1 June 1995, and adopted, at its 233rd meeting, on 9 June 1995, the following concluding observations.

(a) Introduction

578. The Committee expresses its appreciation to the State party for its very comprehensive report, and welcomes the open and self-critical approach taken by the Government of Belgium in preparing the report. It also wishes to express appreciation to the State party for the submission of written replies to its list of issues, as well as for the additional information provided during the course of the discussion.

579. The presence of a high-level delegation enabled the Committee to engage in a frank and constructive dialogue with those directly responsible for the implementation of the Convention on the Rights of the Child, at the federal and communities levels.

(b) Positive factors

580. The Committee welcomes the openness of the delegation to review of the declarations made upon ratification and its willingness to consider withdrawing them.

581. The Committee welcomes the measures taken by the Government of Belgium, since the entry into force of the Convention in 1992, to promote and protect the rights of the child. In this connection, the Committee particularly welcomes the adoption of a comprehensive legal framework to ensure full conformity with the Convention and the adoption of a recent law which extends the national jurisdiction in cases of child prostitution and pornography and allows the State to prosecute any person accused of "sex tourism"; the revision of article 371 of the Civil Code, which now provides for "mutual respect between parents and children"; the steps taken in view of the ratification of the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption; the announced intention to revise the Civil Code with a view to lowering the minimum age of consent to adoption, in the spirit of article 12 of the Convention; as well as the establishment of institutions and mechanisms for the promotion and protection of the right of the child by the communities. The Committee also expresses its appreciation for the launching of awareness-raising campaigns for the prevention of child abuse and neglect.

582. The Committee welcomes the fact that the Convention is self-executing and that its provisions may be, and in practice have been in several instances, invoked before the court. It also notes with satisfaction the fact that Belgium applies the principle of the primacy of international human rights standards over national legislation in case of conflict of law.

583. The Committee notes with satisfaction that during the present period of economic recession, attention has been paid by the authorities with a view to ensuring that the budgetary resources for the social welfare of the most disadvantaged groups of the population and, among them children, will not decrease in the State party.

(c) Principal subjects of concern

584. The Committee would like to suggest that the State party consider establishing a permanent national mechanism for the purpose of coordinating the implementation of the Convention and it notes the need for an effective overall system for the collection of data on the rights of the child at the federal level, including in particular on especially vulnerable groups of children.

585. The Committee is concerned about the application of the law and policy concerning children seeking asylum, including unaccompanied children. It is particularly concerned that unaccompanied minors who have had their asylum request rejected, but who can remain in the country until they are 18 years old, may be deprived of an identity and denied the full enjoyment of their rights, including health care and education. Such a situation, in the view of the Committee, raises concern as to its compatibility with articles 2 and 3 of the Convention.

586. With regard to the provisions of article 2 of the Convention, the Committee is concerned that children belonging to disadvantaged groups of the population appear more likely to be placed in care. In this regard, the Committee recalls the importance of the family in the upbringing of a child and emphasizes its view that the separation of a child from his or her family must take the child's best interest as a primary consideration.

587. The Committee expresses its concern about the possibility of relinquishment of jurisdiction provided for in article 38 of the Young Persons' Protection Act, which allows for young persons between the ages of 16 and 18 to be tried as adults and thereby face the imposition of a death sentence or a sentence of life imprisonment. The Committee is also concerned that in accordance with the provisions of article 53 of the same Act, children may be kept in prison for a period of 15 days and be kept in isolation.

(d) Suggestions and recommendations

588. The Committee wishes to encourage the State party to consider reviewing the declarations made upon ratification of the Convention with a view to considering withdrawing them.

589. The Committee wishes to suggest that the State party envisage the establishment of a permanent mechanism of coordination, evaluation, monitoring and follow-up for policies aiming at the protection of the child to ensure that the Convention is fully respected and implemented, at the federal and communities levels. In this respect and as part of the ongoing efforts of the State party to promote and protect the rights of the child, the Committee suggests that ways and means be established to facilitate regular and closer cooperation between the federal and communities governments in cooperation with non-governmental organizations involved in monitoring the respect for the rights of the child in Belgium.

590. The Committee recommends that Belgium envisage the creation of a permanent mechanism of data collection at the national level, in order to have an overall assessment of the situation of children in the country and to ensure a comprehensive and multidisciplinary evaluation of progress and difficulties in implementing the Convention.

591. The Committee is of the opinion that efforts to harmonize national legislation with the provisions of the Convention should be further pursued, in particular as regards articles 38 and 53 of the Young Persons' Protection Act of April 1965 with a view to ensuring its full conformity with the Convention. The Committee wishes to encourage the State party to continue to take steps with a view to ensuring the abolition of the death penalty in peace as well as in wartime. The Committee further encourages the State party to consider reforming its legislation with a view to ensuring the prohibition of corporal punishment within the family.

592. The Committee would also like to suggest that further consideration be given in the light of article 12 of the Convention to ways of encouraging the expression of views by children and those views being given due weight in the decision-making processes affecting their lives, in particular in family life, at school and local levels as well as within the judicial system, including in situations where the child participates in the proceedings as a witness.

593. The Committee would like to encourage the State party to develop further an ongoing and systematic approach to making the principles and provisions of the Convention widely known to children and adults alike. In addition, the Committee recommends that the principles and purposes of the Convention be made widely known in the languages spoken in Belgium, and translated also into the languages of major refugee and immigrant groups. In view of the adoption by the General Assembly of resolution 49/184 proclaiming the United Nations Decade for Human Rights Education, the Committee encourages the State party to consider using this opportunity to promote the incorporation of education about the Convention in school curricula. It is the view of the Committee that it is important that the teaching methods used in schools should reflect the spirit and philosophy of the Convention and the aims of education laid down in its article 29.

594. Consideration should also be given to incorporating education on the provisions and principles of the Convention in training programmes for various professional groups, including teachers, social and health workers, immigration officers, law enforcement personnel, judges and personnel in care and detention institutions.

595. The Committee wishes to encourage the State party to ensure that applications for the purpose of family reunification in the cases of refugees and migrant workers are dealt with in a positive, humane and expeditious manner.

596. The Committee encourages the Government of Belgium to consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

597. Finally, the Committee appreciates the willingness of the Government of Belgium to publish the initial report of Belgium, as well as the summary records of the meetings with the Committee and the concluding observations of the Committee on the report, and recommends that these documents be disseminated as widely as possible in the languages spoken in Belgium.

22. Concluding observations: Tunisia

598. The Committee considered the initial report of Tunisia (CRC/C/11/Add.2) at its 225th to 227th meetings, on 1 and 2 June 1995 (CRC/C/SR.225-227) and adopted, at its 233rd meeting, on 9 June 1995, the following concluding observations.

(a) Introduction

599. The Committee welcomes the submission of the report, which contains comprehensive information on the legal framework within which the Convention on the Rights of the Child is implemented and on other measures adopted since the ratification of the Convention by Tunisia.

600. The Committee appreciates the written information provided by the Government in reply to the questions set out in the list of issues. Furthermore, the presence of a high-level delegation enabled the Committee to engage in a constructive dialogue with those directly responsible for the implementation of the Convention.

(b) Positive factors

601. The Committee welcomes the efforts made by the Government in bringing domestic law into line with the Convention, through the enactment of the draft code for the protection of the child. Satisfaction is expressed at the fact that various national legislative provisions are more conducive to the realization of the rights of the child than those contained in the Convention. The Committee also notes with appreciation the adoption, following the World Summit for Children in 1990, of the national plan of action for the survival, protection and development of children, as well as the adoption of various programmes, specifically aimed at promoting and protecting the rights of the child, such as programmes for disabled children, and programmes aiming at sensitizing teachers to the philosophy of the Convention. The Committee notes with particular appreciation the sustained policies with a view to protecting children against the negative effects of structural adjustment.

(c) Factors and difficulties impeding the implementation of the Convention

602. The Committee notes that there are still practices which impede the full enjoyment of certain rights of the child.

(d) Principal subjects of concern

603. The Committee is concerned about the extent of the reservations and declarations made to the Convention by the State party. In particular, the reservation relating to the application of article 2 raises concern as to its compatibility with the object and purpose of the Convention.

604. The Committee notes that measures taken to ensure the implementation of the provisions of the Convention, particularly articles 2, 3, 12, 13 and 19, are still insufficient. The Committee is concerned at practices of discrimination against children born out of wedlock.

605. The Committee notes that the system of collecting data relevant for the monitoring of the implementation of the Convention needs to be improved and extended. It is concerned whether sufficient consideration has been given to the reinforcement of mechanisms, including of an independent nature, to follow up and evaluate the implementation of the Convention at the national and local levels.

606. The Committee is concerned that the legislative discrepancy between the age for completion of mandatory education and the minimum age for admission to employment may lead to encourage adolescents to drop out from the school system.

(e) Suggestions and recommendations

607. In the spirit of the final document of the World Conference on Human Rights, the Committee wishes to encourage the State party to consider reviewing its reservations and declarations to the Convention with a view to withdrawing them, including particularly the reservation relating to article 2 of the Convention.

608. The Committee encourages the Government to pursue its efforts aiming at creating awareness of the Convention and having its basic principles understood by the general public, and to continue training relevant professional groups such as teachers, judges, law enforcement officials, social workers and the personnel in care and detention institutions, as well as military personnel.

609. The data collection on matters relating to the Convention should be systematized and amplified, with a view to covering all areas addressed by the Convention.

610. The Committee would like to suggest that the State party consider reinforcing the mechanisms for monitoring and evaluating the implementation of the Convention. A more efficient coordination between the central Government and the governorates is also recommended.

611. The State party is encouraged to pursue legislative reforms and to adopt measures translating into practice the general principles of the Convention, in particular the principle of non-discrimination against children born out of wedlock, the principle of the best interests of the child and the right of the child to express his or her views freely.

612. The Committee recommends to the State party to give further thought to possible ratification of ILO Convention No. 138 on the minimum age for admission to employment. Campaigns to prevent entry of adolescents into the labour force, including in the informal sector and agriculture, should be reinforced. In this regard, the Committee would like to encourage the State party to consider seeking technical assistance from ILO.

613. Regarding the rights of the refugee and asylum-seeking child, the Committee recommends that the State party consider as a preventive measure adopting relevant legislative provisions, in consultation with UNHCR.

614. As far as protection from ill-treatment is concerned, the Committee recommends that the social preventive approach be strengthened and that further measures be undertaken to educate parents about their responsibilities towards their children, including through the provision of family education which should emphasize the equal responsibilities of both parents and contribute to the prevention of the use of corporal punishment.

615. The Committee welcomes the invitation addressed by the delegation to the Committee to visit Tunisia. The Committee also recommends that the initial report, the summary records of the discussion between the delegation and the Committee and the present concluding observations be widely disseminated in order to deepen the debate on the rights of the child in Tunisia. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up.

23. Concluding observations: Sri Lanka

616. The Committee considered the initial report of Sri Lanka (CRC/C/8/Add.13) at its 228th to 230th meetings (CRC/C/SR.228-230), on 5 and 6 June 1995 and adopted, at its 233rd meeting, on 9 June 1995, the following concluding observations.

(a) Introduction

617. The Committee notes with satisfaction the submission of the initial report of Sri Lanka and the written answers to its list of issues. The Committee is encouraged by the frank and cooperative tone of the dialogue, in which the delegation of the State party indicated not only the progress achieved with regard to the implementation of the provisions of the Convention on the Rights of the Child, but also the difficulties encountered during implementation. The Committee takes note of the statement made by the delegation that it was unfortunately not possible for a larger delegation to be present during the dialogue, as had initially been the intention of the Government.

(b) Positive factors

618. The Committee notes with appreciation the establishment in 1993 of a National Committee for the Monitoring of the Rights of the Child under the Ministry of Health, Highways and Social Service. It also welcomes the launching in 1991 of the action plan for children in Sri Lanka to be implemented during the period 1992-1996. The Committee is encouraged to note the existence of a dialogue between the State party and non-governmental organizations, particularly the Non-Governmental Organization Forum.

619. With respect to legislative reform, the Committee welcomes the State party's consideration of the possibility of amending laws relating to child abuse, child labour and juvenile justice, to ensure their compatibility with the provisions of the Convention.

620. The Committee also notes the willingness of the delegation of Sri Lanka to seek advice and technical assistance from the United Nations bodies and specialized agencies and from national and international non-governmental institutions in the fields of child abuse, child labour and juvenile justice.

(c) Factors and difficulties impeding the implementation of the Convention

621. The Committee takes note of the difficult economic and social situation of Sri Lanka, particularly due to the adverse effects of structural adjustment measures and the ongoing civil armed conflict in the North and East regions of the country which drains national resources. Eight of the 25 provinces of the country are affected by the conflict which during the last 12 years has taken the lives of 30,000 people and currently has an impact on over half a million children.

(d) Principal subjects of concern

622. The Committee regrets that the Government of Sri Lanka has not taken due consideration of the provisions of article 4 of the Convention. It regrets that only a small part of the national budget is dedicated to the protection of the child and notes the high proportion of military expenditures.

623. The Committee notes with concern that neither the Convention nor the Charter on Children's Rights is of binding nature within the national legal system. The Committee is concerned by the fact that the general principles of the Convention, including, in particular, article 2 (principle of non-discrimination), article 3 (principle of the best interests of the child) and article 12 (respect for the views of the child) are not reflected in the national legislation.

624. The lack of efficient and integrated mechanisms to monitor the situation of children is a matter of concern, particularly since the constitutional change gave increasing political power to the provinces. The Committee notes in this regard a lack of reliable quantitative and qualitative data, a shortage of means to implement programmes, and a lack of indicators and mechanisms to evaluate the progress and impact of policies adopted.

625. The Committee is concerned by the absence of coordination within the governmental departments and ministries, as well as between central and regional authorities. This affects negatively the implementation of global policies to promote and protect the rights of the child.

626. The Committee is worried about the existence of disparities concerning the three different laws (Sri Lankan, Kandyan and Muslim) regulating the minimum age for marriage. These legislations establish different minimum ages for marriage between boys and girls and authorize the marriages of girls as young as 12 years of age who have obtained parental consent from the parents. Such situations may raise the question of compatibility with the principles of non-discrimination and the best interests of the child (arts. 2 and 3).

627. The Committee remains concerned about the apparent persistence of discriminatory attitudes directed towards girls, children born out of wedlock, children from poorer income groups, rural children, child refugees or displaced children, working children, children affected by armed conflicts and children of overseas workers.

628. The Committee expresses its concern regarding the implementation of article 12 of the Convention. The views of the child are not sufficiently taken into account, especially within the family, the school and the juvenile justice system.

629. The Committee is concerned about the continuing difficulties encountered in ensuring birth registration, particularly of children born out of wedlock. The registration is necessary for all children so that they can fully enjoy their fundamental rights and freedoms.

630. With respect to child abuse, including sexual abuse, the Committee is seriously alarmed by the prevalence of this type of abuse. The Committee is worried about the fact that no specific rehabilitation measures exist for abused children and that they are treated like delinquents. Corporal punishment also persists in Sri Lankan society and is accepted in schools.

631. The Committee is concerned about the situation of children whose mothers are working abroad, especially in Gulf countries, leaving their children behind. Those children (between 200,000 and 300,000) often live in difficult circumstances and may be subjected to different types of abuse or exploitation.

632. The Committee notes that the Sri Lankan authorities have enacted new legislation on international adoption, which ensures safeguards against the sale and trafficking of children. The Committee remains worried about the fact that the same measures have not been taken to regulate national adoptions.

633. The Committee expresses its deep concern about the high level of malnutrition among children. It is estimated that 23 per cent of infants are born with low birth weight.

634. The Committee is also deeply concerned about the surprisingly high rate of suicide among youngsters.

635. The Committee is concerned about the inadequate measures taken to improve the access of displaced and refugee children to education and health services.

636. The Committee is worried about the high rates of school drop out, the discrepancies in education facilities, especially in rural areas, and the insufficiency of preschool establishments which are usually managed by non-governmental institutions and are not under State responsibility.

637. The Committee expresses its concern about implementation of the provisions and principles of the Convention in relation to the administration of juvenile justice. It is deeply concerned by the low age of criminal responsibility (8 years old) and the status of children between 16 and 18 years old who are considered by penal law as adults. Those children are examined by adult courts.

638. The Committee expresses its grave concern about the substantial number of children working as domestic servants and who are often subjected to sexual abuse. It is also deeply worried about the increasing number of children exploited sexually, especially young boys forced into prostitution, both locally and in international sex tourism.

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

(e) Suggestions and recommendations

640. The Committee recommends that the State party harmonize its national legislation with the provisions and principles of the Convention. Principles relating to the best interests of the child and the prohibition of discrimination in relation to children should be reflected in domestic law, and it should be possible to invoke them before the courts.

641. The Committee is aware that the State party is in the process of reviewing its legislation relating to child abuse, child labour and juvenile justice and, in that regard, draws the attention of the State party to the activities developed by the programme of advisory services and technical assistance of the Centre for Human Rights.

642. The Committee welcomes the adoption of a national Charter on Children's Rights but recommends that it be given the status of law and its provisions, where necessary, raised to the standards of the Convention.

643. The Committee strongly recommends that consideration should be given to raising and standardizing the age for contracting marriage in all communities, to raising the age for engaging in labour and for penal responsibility and to eliminate discrimination towards children born out of wedlock.

644. Measures should be taken to strengthen the Children Secretariat and the National Committee for the Monitoring of the Rights of the Child. The Committee

recommends that an independent monitoring mechanism be implemented. In this regard, the establishment of an ombudsperson would be welcomed. Coordination mechanisms should also be strengthened between all authorities involved in human rights and children's rights, especially with the Ministry of Woman Affairs, at both national and local levels. The Committee suggests that measures be taken to improve the system for collecting statistics, accurate indicators and other data about the status of children.

645. The Committee encourages the Government of Sri Lanka to pay particular attention to the full implementation of article 4 of the Convention and to ensure a judicious distribution of the resources at central, regional and local levels. Budget allocations for the implementation of economic, social and cultural rights, particularly probation and care services, should be ensured to the maximum extent of available resources and in the light of the best interest of the child.

646. With respect to the implementation of articles 12, 13 and 15 of the Convention, the Committee recommends that consideration be given by the State party to facilitate children's participation and the respect of their views in decisions affecting them, especially in the family, at school and in courts.

647. The Committee recommends that the State party take measures to combat violence and abuse of children, including sexual abuse and corporal punishment. During the process of reviewing its law on child abuse, the State party should carefully take into account all the provisions guaranteed by article 19 of the Convention. It further suggests that professional groups, including teachers, law enforcement personnel, social workers and the military, be trained with respect to the provisions on the Convention. International technical assistance could be requested by the authorities in relation to this matter.

648. To avoid the abandonment of children by mothers working abroad, the Committee suggest that the State party engage in dialogue with receiving countries to ensure an international agreement that permits migrant workers to take their children abroad. Ratification of the International Convention on the Rights of All Migrant Workers and Members of Their Families should be considered.

649. To combat institutionalization and abandonment of children born out of wedlock, the Committee recommends that the State party establishes an adequate alternative family care system that responds to the national culture and customs. The Committee also encourages the authorities to give full support to mothers of children born out of wedlock wishing to keep their child.

650. With regard to national adoption, the Committee stresses the need to raise the standards to those existing for international adoption. The Committee welcomes the fact that Sri Lanka was one of the first States to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993.

651. The Committee suggests that rehabilitation measures be taken for abused children and that the Government prohibits the publication by the media of the names of the victims.

652. To improve the understanding and the prevention of suicide, the Committee encourages the authorities to launch a study and a survey concerning this phenomenon.

653. In view of the general problem of displaced and refugee children, the Committee recommends that all appropriate measures be taken to ensure that those vulnerable groups have access to basic services, particularly in the fields of education, health and social rehabilitation.

654. The Committee recommends that the Ministry of Education should take under its responsibility the establishment and management of preschool facilities.

655. With regard to the administration of juvenile justice, it is suggested that necessary measures be taken by the State party to implement fully the principles and provisions of the Convention. The Committee recommends that the law reform to be undertaken in this field adequately reflect the provisions of the Convention as well as other relevant international standards, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. It is suggested that due attention be paid to the best interest of the child and to his or her right to be heard and that deprivation of liberty be considered as a measure of last resort and for the minimum period possible. In this regard, the Committee recommends that the criminal age should be raised and that persons aged between 16 and 18 be considered as children.

656. The Committee recommends that the law reform on child labour raises the minimum age of access to labour to 15 years old and the compulsory education age to the same limit. The Committee suggests that a monitoring and inspection mechanism be established to facilitate an effective implementation of the new law. The State party should give due attention to domestic child workers and encourage, through the promotion and implementation of the Convention, a change of mentality and attitudes. The Committee would like to suggest that the Government of Sri Lanka consider requesting technical assistance from ILO in the perspective of the legislative reform and suggests that the State party envisage ratifying ILO Convention No. 138.

657. The Committee expresses its deep concern about the development of sexual exploitation of children, especially of boys, through sex tourism. The Committee suggests that the authorities engage a prevention campaign on the HIV virus and strengthen its procedures to supervise tourist areas where the problem prevails.

658. The Committee recommends that in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee.

659. With regard to the traumatic impact on children of the civil armed conflict in Sri Lanka, the Committee recommends that, in the light of article 44, paragraph 4, of the Convention, additional information be submitted to the Committee within two years about the effects of the armed conflict on children, their participation in combat and the way authorities handle child soldiers prisoners of war.

24. Concluding observations: Italy

660. The Committee considered the initial report of Italy (CRC/C/8/Add.18) at its 235th to 238th meetings (CRC/C/SR.235-238), on 31 October and

1 November 1995, and adopted, at its 259th meeting, on 17 November 1995, the following concluding observations.

(a) Introduction

661. The Committee expresses its appreciation to the State party for engaging, through a high-level and multidisciplinary delegation, in an open and fruitful dialogue with the Committee. It welcomes the written information submitted by the delegation of Italy in reply to the questions included in its list of issues, as well as statistical data provided in the course of the discussion. While noting with satisfaction that such supplementary information enabled the Committee to engage in a constructive dialogue with the State party, the Committee regrets that its guidelines for the preparation of State parties' reports have not been followed by the Government and that a certain number of issues addressed in the written list of issues have been left unanswered.

(b) Positive factors

662. The Committee welcomes the legislative and administrative measures taken by the Government of Italy since the entry into force of the Convention on the Rights of the Child in 1991 to promote and protect the rights of the child. It appreciates that the Convention is self-executing in Italy and as such can be, and in fact has been, applied directly by the Italian courts, and that Italy applies the principle of the primacy of international human rights standards over national legislation in case of conflict of law. The Committee also welcomes the preliminary steps taken in view of the ratification of the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

663. The Committee welcomes the setting up of various institutions and mechanisms for the protection and monitoring of the rights of the child in Italy, including in particular the Special Committee on Child Issues established within the Parliament; the Department of the Family and Social Affairs created within the Prime Minister's Office; the National Centre for the Protection of Children, entrusted with the collection of data concerning children; and the National Observatory for the Problems of Minors, which analyses data collected by the National Centre and prepares annual reports for the Parliament.

664. The Committee notes with satisfaction the progress achieved in the field of child health and welfare, including in particular the noticeable decrease in perinatal mortality.

(c) Principal subjects of concern

665. The Committee is concerned at the lack of an overall integrated mechanism to monitor the activities designed to promote and protect the rights of the child. It stresses that coordination between the various governmental entities involved, as well as between national, regional and municipal levels, is insufficient and that there is a need for a comprehensive network for the collection of data covering all areas of the Convention and taking into account all groups of children within Italy, which is essential for the implementation of targeted programmes on the rights of the child and the evaluation of the effectiveness of legislative and administrative measures.

666. The Committee is concerned about the insufficient measures taken to ensure that the principles and provisions of the Convention are widely known to children and adults alike and to provide adequate training on the principles and

provisions of the Convention to the various professional groups involved with children.

667. As regards the implementation of article 4 of the Convention, the Committee is concerned about the inadequacy of measures taken to ensure the implementation of economic, social and cultural rights to the maximum extent of available resources. It appears to the Committee that insufficient expenditure is allocated to the social sector both within the State party and within the context of international development assistance. The Committee is also concerned over the lag in the civil participation of citizens in issues relating to children.

668. The Committee is also concerned that the basic principles of the Convention, namely the provisions of its articles 2, 3 and 12, have not always been adequately reflected in national legislation and policy-making.

669. The Committee is also concerned about persisting and significant economic and social disparities between the northern and southern parts of the country, which bear a negative impact on the situation of children.

670. With regard to article 2 of the Convention relating to non-discrimination, the Committee is concerned that sufficient measures have not been taken to assess and provide for the needs of children from vulnerable and disadvantaged groups, such as children from poor families and from single-parent households, children of foreign and Roma origin and children born out of wedlock. The Committee is concerned that children belonging to these disadvantaged groups seem more likely to be stigmatized in public perception, to drop out of school, to be employed in clandestine work or even in illegal activities, including being instrumentalized in organized criminal activities.

671. The Committee is preoccupied by the existence of child abuse, including physical and sexual abuse and violence within the family, and the insufficient protection afforded by the Penal Code in this regard, as well as the lack of adequate measures for the psycho-social recovery of child victims of such abuses.

(d) Suggestions and recommendations

672. The Committee recommends that a national permanent mechanism be developed for the purpose of coordinating and monitoring the implementation of the Convention, including between governmental departments and between central, regional and municipal authorities. It is also suggested that the Government consider ensuring closer and more active cooperation with non-governmental organizations working for the rights of the child. Such measures could contribute to promoting an ongoing dialogue with the civil society and public scrutiny of governmental action in the field of the promotion and protection of children's rights.

673. The Committee recommends the systematic collection of data on children and research on child-related issues, including changes in the family structure, with a view to ensuring adequate policy-making in the field of children's rights.

674. The Committee wishes to encourage the State party to develop further a systematic approach to making the principles and provisions of the Convention widely known to children and adults alike, thus increasing public awareness of and civil participation in promoting children's rights. In the spirit of the

United Nations Decade for Human Rights Education, the Committee further encourages the Government to give consideration to the incorporation of the rights of the child in the school curricula. Similarly, training about the Convention should be incorporated into the curricula of professionals working with or for children, including teachers, social workers, law enforcement officials, judicial personnel and personnel of the Italian contingents of the United Nations peace-keeping forces.

675. The State party should pursue its efforts with a view to fully reflecting in its legislation and practice the provisions and principles of the Convention, in particular the principles of non-discrimination, the best interests of the child and the right of the child to express freely his or her views. In this regard, the Committee recommends that existing legislation be modified to ensure fully equal treatment between children born in and out of wedlock.

676. Further measures should also be taken to prevent a rise in discriminatory attitudes and prejudices towards particularly vulnerable children such as children living in poverty, children from the southern region, Roma children and foreign children. The Government should consider adopting a more active stand and coherent policy with respect to the treatment of these children and to create an environment favourable to their fullest possible integration into Italian society. Comprehensive measures should be provided for responsible parenthood and for support to needy families, in order to assist them in their child-rearing responsibilities in the light of articles 18 and 27 of the Convention, thus limiting family disruption, reducing the numbers of institutionalized children and limiting the recourse to institutionalization to a measure of last resort.

677. The Committee encourages the Government of Italy to pay particular attention to the full implementation of article 4 of the Convention in the light of the general principles of the Convention, in particular the best interests of the child. The Committee also stresses the need for a judicious distribution of the resources at the central, regional and municipal levels with a view to overcoming persisting economic and social disparities, and to pay particular attention to the most disadvantaged groups in society, including single-parent families.

678. It is also suggested that the State party should use the principles of the Convention as a framework for strengthening international development assistance in order to assess the possibility of giving more emphasis to the social priorities for children.

679. The Committee also suggests that the clear prevention and prohibition of torture or other cruel, inhuman or degrading treatment or punishment, as well as a ban on corporal punishment within the family, be reflected in the national legislation.

680. The Committee recommends that measures including assistance to disadvantaged families be undertaken to prevent the illegal use of children in the labour force and to prevent juvenile delinquency and the instrumentalization of children in criminal activities. In this connection, it is also suggested that an adequate adjustment of the contents of school curricula so as to incorporate vocational education, in the light of article 28 of the Convention, might contribute to reducing the drop-out rate and prevent the entry of children into the illegal labour market or even their involvement in criminal activities.

681. The Committee recommends that the initial report and written replies submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country, and transmitted to Parliament for further debate and follow-up. In this regard, the Committee also invites the State party to transmit to it the annual reports that the National Observatory for the Problems of Minors will submit to Parliament, and would like to suggest that such annual reports, as well as the plan of action with specific targets and time-frame for the next five years, should take into consideration the priority areas identified by the Committee in its consideration of the initial report of Italy, as reflected in the relevant summary records.

25. Concluding observations: Ukraine

682. The Committee considered the initial report of Ukraine (CRC/C/8/Add.10/Rev.1) at its 239th to 242nd meetings (CRC/C/SR.239-242), on 2 and 3 November 1995, and adopted at its 259th meeting, on 17 November 1995, the following observations.

(a) Introduction

683. The Committee expresses its appreciation to the Government of Ukraine for the submission of its initial report and its openness and fruitful dialogue. The Committee is encouraged by the frank and cooperative tone of the discussion, in which the representatives of the State party indicated not only the policy and programme directions but also the difficulties encountered during implementation of the Convention on the Rights of the Child.

(b) Positive factors

684. The Committee takes note of the attention paid by the Government to the situation of children in the present period of political transition.

685. The Committee welcomes the establishment of mechanisms to deal with children's issues and the question of children's rights, in particular the Parliamentary Commission on Health Care, Mother and Child Welfare with its departments and regional divisions, and the Presidential Committee for Women's, Maternal and Children's Affairs.

686. The Committee notes with appreciation the important efforts by the Government in the field of law reform, especially the revision of the Constitution with a view to incorporating the rights of the child, and several laws such as the Family Code and the Penal Code, which aim to promote and protect children's rights.

687. The Committee also welcomes the adoption by the Government of a number of national programmes aiming at the effective implementation of children's rights in the country and the establishment of a voluntary fund to support children under the auspices of the Parliamentary Commission on Health Care, Mother and Child Welfare.

(c) Factors and difficulties impeding the implementation of the Convention

688. The Committee notes the difficulties facing Ukraine in the present period of political transition and in a climate of social change and deep economic crisis. The Committee also notes the problems relating to the transition

economy and that the situation of many children has worsened as a consequence of growing poverty and increasing unemployment. The Committee recognizes that the State party is experiencing major difficulties in countering the negative consequences of the Chernobyl nuclear plant disaster, in particular on the environment and on the physical and psychological health of the population, including children.

(d) Principal subjects of concern

689. The Committee expresses its concern as to full compatibility of national legislation, measures and programmes with the provisions and principles of the Convention, particularly with regard to the principles of non-discrimination (art. 2), including in relation to the different age of marriage for girls and boys, the best interests of the child (art. 3) and the right of the child to express his/her opinion in all decisions affecting him/her (art. 12). The Committee also notes that there is a discrepancy in the legislation between the age for completion of mandatory education, which is 15, and the minimum age for labour, which is 16.

690. The Committee is concerned at the insufficient budgetary allocation provided for the implementation of economic, social and cultural rights of children.

691. The Committee is concerned at the insufficient attention paid to the need for an efficient coordinating and monitoring mechanism that could provide a systematic and comprehensive compilation of data and indicators on all areas covered by the Convention and in relation to all groups of children, including children in single-parent families, children of divorced parents, abandoned children and institutionalized children. Such a mechanism would enable the Government to identify areas of concern and to help to define strategies to address them.

692. The Committee is worried by the high rate of abandonment of children, especially new-born babies, and the lack of a comprehensive strategy to assist vulnerable families. This situation can lead to illegal intercountry adoption or other forms of trafficking and sale of children. In this context the Committee is also concerned about the absence of any law prohibiting the sale and trafficking of children, and the fact that the right of the child to have his/her identity preserved is not guaranteed by law.

693. The Committee expresses its concern at the health status of children, particularly in the aftermath of the Chernobyl nuclear disaster, the increasing child mortality rate, the apparent priority given to curative rather than preventive health care, the low prevalence of breast-feeding, the high number of abortions, the insufficient health, education and services on family planning and the discrepancy between the urban and rural health systems.

694. The Committee is concerned about the absence in Ukraine of a programme involving social work. In particular, the Committee expresses its concern at the situation of the institutionalization, treatment and protection of handicapped children. Alternatives to institutionalization are not sufficiently taken into account; support services to parents who keep their handicapped child at home are inadequate.

695. The Committee regrets that appropriate measures have not yet been taken to effectively prevent and combat ill-treatment of children in schools or in institutions where children may be placed. The Committee is also preoccupied by

the existence on a large scale of child abuse and violence within the family and the insufficient protection afforded by the existing legislation and services in that regard. The problem of sexual exploitation of children also requires special attention.

696. The Committee is concerned by the absence of a national information and dissemination strategy regarding the Convention.

697. The present situation in the field of the administration of juvenile justice is a matter of concern to the Committee.

(e) Suggestions and recommendations

698. The Committee encourages the Government of Ukraine to pursue the revision of the legislative framework in order to reflect fully the Convention and to ensure the realization of children's rights in relation to all the children subject to the jurisdiction of Ukraine, and full compliance with the provisions and principles of the Convention, especially the principles of non-discrimination (art. 2) and the best interests of the child (art. 3), the right to life, survival and development (art. 6) and the right of the child to express his/her opinion in all decisions affecting him/her (art. 12). The Committee suggests that legislation concerning the age of mandatory education and that concerning the minimum age for employment be adjusted and that the age of marriage for girls and boys be the same.

699. The Committee recommends that the State party strengthen the coordination between the different governmental mechanisms involved in children's rights, both at the national and local levels, with a view to developing a comprehensive policy on children and ensuring an effective evaluation of the implementation of the Convention in the country. Closer cooperation with non-governmental organizations should be promoted.

700. The Committee recommends that the State party undertake to gather all the necessary information on the situation of children in the various areas covered by the Convention, including in relation to children belonging to the most vulnerable groups.

701. The Committee encourages the Government of Ukraine to pay particular attention to the full implementation of article 4 of the Convention and to ensure a judicious distribution of the resources at the central, regional and local levels. Budgetary allocations for the implementation of economic, social and cultural rights should be ensured during the period of transition to market economy to the maximum extent of available resources and in the light of the best interests of the child.

702. The Committee is of the opinion that systematic and continuous steps are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of the Convention. The Convention should be made available in all the languages spoken by minorities in Ukraine and specific training should be provided to all professional groups working with children (judges, teachers, social workers, law enforcement officials, etc.). In the light of the United Nations Decade for Human Rights Education, attention should be given to incorporating the Convention in the school curriculum. The Committee encourages the State party to give further consideration to the establishment of an ombudsperson for children, or of any equivalent permanent and independent complaint and monitoring mechanism. The participation of children themselves in the promotion

of the rights of the child is of great importance, especially at the community level.

703. In the light of article 2 of the Convention, measures should be taken to prevent a rise in discriminatory attitudes or prejudices towards children belonging to minority groups, children living in rural areas, Roma children and children afflicted with HIV/AIDS.

704. The Committee would like to see a stronger emphasis placed on primary health care activities, especially in rural areas, which would include the development of educational programmes to cover such matters as family education, family planning, sex education and the benefits of breast-feeding.

705. The Committee encourages international support for measures to cope with the negative consequences of the Chernobyl nuclear disaster, in particular in the social, health and environmental areas.

706. The Committee considers that greater efforts should be made to develop awareness of the important role of the family and of the equal responsibilities of parents. Further steps should be taken to strengthen the system of assistance to both parents in the performance of their child-rearing responsibilities.

707. In view of the high rate of abandonment of children and of abortion, the Committee recommends that the State party adopt a strategy and policy to assist vulnerable families for the support of their children. The adequacy of the current social security system and of the family planning programmes should be evaluated. The Committee also recommends the training of social workers with the aim of mobilizing and strengthening communities.

708. The Committee encourages the State party to address the situation of children in institutions, with a view to envisaging and making available possible alternatives to institutional care through, for example, guidance and counselling, foster care and education and vocational training programmes. The Committee also recommends the establishment of effective monitoring mechanisms of the realization of the rights of the child placed in an institution.

709. With regard to the sale and trafficking of children, the Committee encourages the Government to clearly prohibit this illegal activity and to ensure that the right of the child to have his/her identity preserved is fully endorsed. The Committee also recommends that the State party consider the ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

710. The Committee further suggests that the clear prohibition of torture or other cruel, inhuman or degrading treatment or punishment, as well as a ban on corporal punishment in the family, be reflected in the national legislation. The Committee also suggests the development of procedures and mechanisms to monitor complaints of maltreatment and cruelty within or outside the family. Special programmes should be set up to promote physical and psychological recovery and social reintegration of child victims of any form of neglect, abuse, exploitation, torture or ill-treatment in an environment that fosters the health, self-respect and dignity of the child, in the light of article 39 of the Convention.

711. The Committee recommends that the State party envisage the possibility of transferring the supervision of correctional labour colonies for juveniles from

the Ministry of the Interior to the structure it may consider the most appropriate to ensure the promotion and protection of children's rights.

712. In the field of the administration of juvenile justice, the Committee recommends that the current legal reform take fully into account the Convention, in particular articles 37, 39 and 40, and that other relevant international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty be seen as a guide in this revision. Particular attention should be paid to the prevention of juvenile delinquency, the protection of the rights of children deprived of liberty, respect for fundamental rights and legal safeguards in all aspects of the juvenile justice system and the full independence and impartiality of the juvenile judges. Training programmes on the relevant international standards should be organized for all those professionals involved with the system of juvenile justice, in particular judges, law enforcement officials, correctional officers and social workers.

713. The Committee encourages the State party to disseminate widely the State party's report, summary records of the discussion of the report within the Committee and the concluding observations adopted by the Committee following its consideration of the report. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up. In this regard, the Committee suggests that cooperation with non-governmental organizations be pursued.

26. Concluding observations: Germany

714. The Committee considered the initial report of Germany (CRC/C/11/Add.5) at its 243rd to 245th meetings (CRC/C/SR.243-245), on 6 and 7 November 1995, and adopted, at its 259th meeting, on 17 November 1995, the following concluding observations.

(a) Introduction

715. The Committee notes that the report prepared by the State party offered a comprehensive explanation of the legislative framework for the implementation of the Convention on the Rights of the Child; however, it did not contain sufficient information on the actual implementation of the principles and provisions of the Convention throughout the country. The Committee, therefore, expresses its appreciation for the frank and self-critical approach of the delegation to answering the questions raised by the Committee and for the clarifications regarding the measures being taken and envisaged for the implementation of the Convention. The Committee welcomes the constructive discussion and exchange of views with the delegation.

(b) Positive factors

716. The Committee welcomes the statement by the delegation expressing the willingness of the State party to consider reviewing the declarations made to the Convention with a view to their possible withdrawal.

717. The Committee welcomes the declaration made by the State party that the participation of children aged 15 and over as soldiers in armed conflict is not compatible with the best interests of the child, as well as the willingness of the Government to support the drafting of an optional protocol to the

Convention in this area. The State party's support for the international call for a ban on the manufacturing and trade in anti-personnel land-mines is also warmly welcomed.

718. The Committee notes with satisfaction that a committee of experts has been established to prepare a comprehensive picture of the actual situation of children in Germany and has embarked upon its work, with a view to contributing to the child and youth report to be presented to the Bundestag and Bundesrat.

719. The Committee acknowledges the determination of the State party to prevent and combat xenophobic tendencies and manifestations of racism. The Government is to be commended for the extensive efforts undertaken to ensure the involvement of and effective cooperation between the federal, state and local authorities in the implementation of a country-wide campaign to prevent and combat such phenomena and to promote ethnic and racial harmony, in the general framework of the Youth Campaign launched by the Council of Europe.

720. The Committee also appreciates the willingness of the State party to undertake research and additional measures for the early detection and prevention of violence and sexual abuse within the family. Equally, the Committee welcomes the State party's willingness to organize initiatives to educate the media about the need to protect children from harmful influences.

721. The measures being taken by the Government to prepare the ground for the future ratification by Germany of the Hague Convention on the Protection of Children and Cooperation in respect of Intercountry Adoption are welcomed.

722. The Committee acknowledges the efforts made by the State party with a view to accepting comparatively large numbers of refugees and asylum-seekers, particularly from the former Yugoslavia.

723. With regard to the efforts undertaken by the State party to combat the sexual exploitation of children, the Committee notes with satisfaction that the Criminal Law has been extended to make sexual abuse of children abroad a criminal offence. In addition, note is taken of the recent measures to make the possession of pornographic materials featuring children a punishable offence.

724. The Committee takes note with appreciation of the support of the State party for the ILO programme for the elimination of child labour.

725. The Committee notes with interest that as of 1996 every child in Germany will have the legal right to a place in a kindergarten.

(c) Principal subjects of concern

726. The Committee regrets the extent of the declarations made by the State party to the Convention. It is the view of the Committee that several of the declarations made raise concern as to their implications and compatibility with the full enjoyment of the rights recognized by the Convention.

727. It is a matter of concern to the Committee that insufficient attention appears to have been given to the matter of the establishment of an effective coordination and monitoring mechanism at the federal, state and local levels for the implementation of the Convention. Such a mechanism is of essential importance for the evaluation and promotion of the development of policies and programmes for the benefit of children, in the light of the Convention.

728. The Committee is concerned about the insufficient awareness and understanding among adults and children of the principles and provisions of the Convention.

729. While acknowledging the clearly stated commitment of the State party to take the Convention as the framework for action on behalf of the child, the Committee is concerned at the insufficient reflection given to the child as a subject of rights as provided for in the Convention in national legislation, policy and programmes. In this regard, it is of concern to the Committee that the incorporation of the general principles of the Convention as laid down, inter alia, in its articles 2 and 3 appears to have been neglected.

730. With respect to the implementation of articles 12, 13 and 15 of the Convention insufficient attention has been accorded to ensuring the involvement of children in decisions, including within family, and in administrative and judicial procedures regarding them.

731. The Committee recognizes that while considerable efforts have been undertaken by the Government and substantial progress has been achieved in ensuring complete unity between the old and new Länder, the goals of equalizing living conditions and establishing comparable structures for child and youth services throughout the country remain to be accomplished. Thus, the Committee remains concerned about the prevailing disparities in living standards and in the quality of services between the different Länder and about the difficulties faced by particularly vulnerable groups in society, such as children born out of wedlock and single-parent families.

732. The Committee remains concerned about the extent to which account is taken of the special needs and rights of children in asylum-seeking and refugee situations. Procedures governing asylum-seeking children, particularly those relating to family reunification, expulsion of children to safe third countries and the "airport regulation" give cause for concern. In this respect the Committee notes that the guarantees provided for in the Convention, in particular in its articles 2, 3, 12, 22 and 37 (d), do not appear to be complied with, while insufficient attention seems to have been ensured to the implementation of articles 9 and 10 of the Convention. The Committee also notes with concern that the provision of medical treatment and services to asylum-seeking children does not appear to be interpreted in the light of the principles and provisions of the Convention, in its articles 2 and 3.

733. With regard to matters relating to juvenile justice, the Committee expresses its concern about the declaration made by the State party to article 40 (2) (b) (ii), which appears to limit the child's rights to access to justice and to a fair hearing as well as the right to legal assistance and defence.

(d) Suggestions and recommendations

734. The Committee warmly welcomes the information provided by the State party that consideration is being given to the incorporation of the Convention in the Constitution of Germany and, in this spirit, it encourages the State party to pursue the ongoing efforts aiming at according constitutional status to the Convention.

735. The Committee recommends that the State party pursue the review of the declarations entered to the Convention with a view to considering their withdrawal. The Committee is of the opinion that, in the light of proposed

reforms to national legislation, it would appear that such declarations are unnecessary; doubts are raised as to their compatibility with the Convention.

736. The Committee suggests that the State party give further consideration to the establishment of a permanent and effective coordination mechanism on the rights of the child at the federal, state and local levels. Consideration should also be given to the development of an evaluation and monitoring system, addressing all areas covered by the Convention based on the comprehensive and systematic collection of data and ensuring priority attention to the most vulnerable groups, while bridging prevailing economic and social disparities. The Committee is encouraged by the State party's commitment to continue fostering closer cooperation and dialogue with the non-governmental organizations and children's groups involved in the monitoring and implementation of children's rights. The Committee also encourages the State party to look more closely into the work of the Ombuds institution for children, particularly with respect to its potential contribution for monitoring the implementation of the rights of the child.

737. With respect to article 4 of the Convention, the Committee emphasizes the importance of the allocation of resources to the maximum extent for the implementation of economic, social and cultural rights of the child at federal, state and local levels, in the light of the principles of the Convention, in particular those of its articles 2 and 3 relating to non-discrimination and the best interests of the child.

738. While acknowledging the strong commitment of Germany to providing structural assistance to third countries, the Committee would like to encourage the State party in its efforts to achieve the 0.7 per cent target for international assistance to developing countries, as well as to give consideration to the use of debt conversion and forgiveness measures in favour of programmes to improve the situation of children. In this respect, the Committee emphasizes that the undertaking of a study on the impact on children of a State party's international cooperation and development assistance programmes has proved a useful tool in evaluating the effectiveness of such initiatives for the implementation of the Convention.

739. The Committee notes with satisfaction the acknowledgement by the State party that a key area of attention should be the development of a comprehensive and systematic strategy for disseminating information and creating awareness of the rights of the child. The development of public campaigns through the use of the media and the involvement of the civil society, including non-governmental organizations and children's groups, would contribute to effectively addressing the need to increase understanding and to promote respect for the rights of the child.

740. The Committee recommends that the State party make full use of the opportunity offered by the United Nations Decade for Human Rights Education, to pursue further the preparation of educational materials on human and children's rights and the incorporation of human rights education, particularly about the rights of the child, into school curricula and into the training programmes of professional groups working with or for children, including teachers, judges, lawyers, social workers, health service personnel, police and immigration officials.

741. The Committee is encouraged by the State party's proposed reform of national legislation in the light of article 2 of the Convention, inter alia, to ensure that children born out of wedlock are not discriminated against. The

Committee, therefore, recommends that the efforts to harmonize legislation with the provisions and principles of the Convention be further pursued and that the State party continue to give priority to reflect in its legislation and policies the general principles of the Convention, particularly those laid down in articles 2 (non-discrimination) and 3 (best interests of the child).

742. The Committee notes that provisions of the Convention relating to the participation of children, including its articles 12, 13 and 15, need to be more thoroughly considered and encouraged. To this end information and awareness campaigns should be developed. Similarly, the Committee recommends that consideration be given to extending and broadening the involvement of children in decisions affecting them in the family and in social life, including in proceedings relating to family reunification and adoption.

743. Appreciation is expressed of the State party's acknowledgement of using the Convention as an instrument to sharpen awareness of the responsibilities of persons taking care of children and the need to equalize the responsibilities between parents in bringing up their children. The Committee encourages the State party to pursue its efforts towards changing attitudes with a view to eradicating all forms of violence against children, including the use of corporal punishment within the family. In this regard, it further encourages that, in the ongoing process of reform of the Civil Code, consideration be given to the incorporation of an absolute ban on corporal punishment.

744. Taking note of the allocation of additional resources to family-related benefits and of the willingness to undertake other measures to achieve further progress in addressing the problems facing single parents, and recognizing the State party's commitment to undertake measures to improve poorer children's access to out-of-school activities, including leisure activities, the Committee believes that greater priority should be given to an analysis of the occurrence of child poverty. Such an analysis should be undertaken from a holistic perspective, taking into account the possible linkages between such matters as housing conditions, family support to the child at home and in school, and the risk of dropping out of school. The results of this research could serve as a vehicle for discussion of these matters both in Parliament and with the relevant authorities as well as for the development of a more comprehensive and integrated approach for responding to the problems identified.

745. The Committee suggests that the State party undertake more comprehensive research on the possible effects of environmental pollution on the health of children.

746. The Committee is of the opinion that the issue of asylum-seeking and refugee children deserves further study with a view to its reform in the light of the Convention and of the concerns expressed during the discussion with the Committee. Such initiatives should reflect, inter alia, on the procedures, especially as they affect children 16 to 18 years of age, that govern the expulsion of children to third safe countries, family reunification and the "airport regulation" as to their compatibility with the provisions and principles of the Convention, in particular those of its articles 2, 3, 5, 9, paragraphs 3, 10, 12, 22 and 37 (d).

747. Note is taken of the Government's intention to reform the system of juvenile justice, including with regard to considering strengthening the services and the development of child-friendly proceedings for dealing with child victims and witnesses. It is also noted that the elimination of the possibility of applying an indeterminate sentence on juveniles has been taken

into account in the context of this reform. Additionally within this framework, the Committee expresses the hope that the declarations made by the State party to article 40 (2) (b) (ii) and (v) will be reviewed with a view to their possible withdrawal.

748. The Committee also recommends that a plan of action with time-bound targets be prepared for the undertaking of the legislative reform, policies and action to implement fully the provisions and principles of the Convention. The Committee suggests that the occasion of the child and youth report to be presented by the Federal Government to the Bundestag and Bundesrat be used to generate a debate by parliamentarians of the issues facing children in the State party and to determine policies to address these matters.

749. The Committee recommends that the State party's report to the Committee, the summary records of the discussion of the report and the concluding observations adopted by the Committee be widely disseminated in the country with a view to promoting wider awareness of children's rights, including at the Land and local levels, among the authorities, non-governmental organizations, relevant professional groups and the community at large, including children.

27. Concluding observations: Senegal

750. The Committee considered the initial report of Senegal (CRC/C/3/Add.31) at its 247th to 249th meetings (CRC/C/SR.247-249), on 8 and 9 November 1995, and adopted, at its 259th meeting, on 17 November 1995, the following concluding observations.

(a) Introduction

751. The Committee expresses its appreciation to the Government of Senegal for engaging, through a high-ranking delegation, in a constructive dialogue with the Committee. The Committee regrets, however, that the report has not followed the guidelines for the preparation of States parties' initial reports and that some areas covered by the Convention on the Rights of the Child have not been addressed therein.

(b) Positive factors

752. The Committee, noting the long-standing attachment of the State party to international human rights instruments and recalling its active participation in the drafting process of the Convention, expresses satisfaction at the early ratification of the Convention by Senegal.

753. The Committee welcomes the fact that Senegal applies the principle of the primacy of international human rights standards over national legislation. The Committee also notes with satisfaction the fact that the Convention is self-executing and that its provisions may be invoked before the court.

754. The Committee notes with satisfaction the active role played by Senegal to promote awareness of children's rights, as reflected in the 1992 Dakar International Conference on the Assistance to the African Child and at the recent African Preparatory Meeting for the Fourth World Conference on Women, during which particular attention was paid to the situation of the girl child.

755. Specific initiatives adopted in the context of the ratification of the Convention are also welcomed, including the establishment of children's

parliaments at the national and regional levels, the establishment of a presidential committee to ensure follow-up to the World Summit for Children and the promotion of the Movement of Mayors for Children.

(c) Factors and difficulties impeding the application of the Convention

756. The Committee acknowledges the economic difficulties encountered by the State party, particularly those arising from the implementation of the structural adjustment policies and the recent devaluation of the CFA franc.

(d) Principal subjects of concern

757. The Committee is concerned that some traditional cultural attitudes towards children may hamper the full enjoyment of the rights embodied in the Convention by children in Senegal. An understanding of children as subjects of rights has not yet penetrated all strata of Senegalese society.

758. The Committee is concerned at the insufficient attention paid to the systematic training of professional groups working for children, including teachers, social workers, judges and law enforcement officials.

759. The Committee is concerned at the insufficient measures taken to ensure a system of data collection relevant for monitoring the implementation of the Convention; disaggregated data and appropriate indicators would allow for an assessment of progress to be made in all areas, in relation to all groups of children, at the national, regional and local levels.

760. The Committee is also concerned at the insufficient steps taken to ensure the full conformity of national legislation with the provisions of the Convention. The Committee notes in particular the lack of conformity of legislative provisions in matters relating to the legal definition of the child. The early and lower marriageable age for girls compared with boys raises serious questions as to its compatibility with the Convention, in particular its article 2. The discrepancy between the age for completion of compulsory education and the minimum age for admission to employment is another matter of concern. The lack of a minimum age below which children are presumed not to have the capacity to infringe penal law is also noted with concern.

761. The Committee is particularly concerned at the insufficient measures to ensure the effective implementation of the principle of non-discrimination. In this regard, it notes the persistent discriminatory attitudes towards girls, also reflected in their notably lower school attendance and their higher drop-out rate. It also regrets the prevailing de facto and de jure discrimination towards children born out of wedlock.

762. With regard to article 4 of the Convention, the Committee is concerned about the inadequacy of measures taken to ensure the implementation of economic, social and cultural rights to the maximum extent of available resources. The proportion of gross domestic product allocated to health is according to the recommendations of the World Health Organization (WHO).

763. The absence of compulsory and free education at the primary level raises deep concern.

764. The Committee is seriously worried at the difficult living conditions faced by a great number of talibés, who are deprived of the enjoyment of their fundamental rights under the law.

765. The Committee expresses its concern about the number of working children, particularly those working in the informal sector, and about the situation of girls working as domestic servants.

766. The Committee is also concerned about the inadequacy of the existing juvenile justice system and its lack of compatibility with the Convention.

(e) Suggestions and recommendations

767. The Committee encourages the Government to pursue its efforts aiming at promoting advocacy and awareness and understanding of the Convention and having its basic principles grasped by the general public, in particular by ensuring the translation of the Convention in all national languages and paying particular attention to people living in rural areas. The Government should pursue such efforts in close cooperation with community and religious leaders, with a view to promoting change in persisting negative attitudes towards children, particularly girls, and to abolishing practices prejudicial to the health of children, in particular female genital mutilations.

768. The Committee also encourages the State party to ensure on a systematic basis training activities on the Convention to professional groups working with and for children, including teachers, judges, social workers, law enforcement officials and personnel entrusted with the task of ensuring data collection in the areas covered by the Convention.

769. The Committee recommends that a permanent and multidisciplinary coordinating mechanism be developed for monitoring and evaluating the progress achieved in the implementation of the Convention.

770. The Committee also recommends that measures be taken to improve the system of collecting statistical and other data in all areas covered by the Convention and on the basis of appropriate indicators at the national, regional and local levels. Such a system should include all groups of children, while paying particular attention to the most vulnerable groups, including poor children, girls, domestic servants and talibés.

771. The Committee suggests that special efforts be developed to ensure an effective system of birth registration, in the light of article 7, to ensure the enjoyment of the fundamental rights of the Convention by all children without discrimination and as a meaningful tool to assess prevailing difficulties and to promote progress.

772. With respect to the implementation of article 4 of the Convention, the Committee recommends that particular attention be paid to the need to ensure budget allocations, to the maximum extent of available resources, to implement economic, social and cultural rights in the light of the principles of non-discrimination and the best interest of the child. Efforts should be pursued to reduce the negative impact on children of policies of structural adjustment.

773. The Committee recommends that the State party ensure that national legislation conforms fully to the provisions and principles of the Convention, in the light of the concerns identified by the Committee and of the study on a comprehensive law reform conducted under the auspices of UNICEF. The principles of the Convention, including those relating to the best interests of the child and the prohibition of discrimination and of participation of children in matters affecting them, should be reflected in domestic law. Specific

provisions should be included with a view to forbidding clearly female genital mutilation and any form of torture or cruel, inhuman or degrading treatment or punishment, as well as of any form of corporal punishment within the family. Adequate legislative and other measures should also be taken to establish a complaints procedure for children whose fundamental rights have been violated.

774. The Committee recommends that legislative measures be taken to establish a definition of the child in the light of the Convention, including with a view to ensuring an equal age for marriage for girls and boys in the light of article 2, a minimum age of criminal responsibility in the light of article 40, paragraph 3 (a), and an equal age of completion of compulsory education and minimum age for admission to employment, in the light of articles 28, 29 and 32. The Committee also recommends that the principle of non-discrimination be clearly reflected in the law, including in relation to children born out of wedlock.

775. The Committee recommends that in the process of a comprehensive law reform consideration be given to the full implementation of the principles and provisions of the Convention and of other relevant United Nations standards in the field of the administration of juvenile justice, including the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, aiming at a child-oriented system in the light of the best interests of the child.

776. The Committee further recommends that reform of child labour legislation should address the situation of children working in the informal sector, paying due attention to domestic service, in the light of the recommendations made in the study prepared under the auspices of ILO. In this regard, the Committee would like to suggest that the State party consider requesting technical assistance from ILO.

777. The Committee suggests that further steps be taken to strengthen the education system, particularly in the rural areas, to improve the quality of teaching and to reduce drop-out rates. The Committee also recommends that the State party adopt all necessary measures to ensure a system of compulsory and free primary education, on the basis of equal opportunity, paying due regard to the situation of girls.

778. The Committee recommends that in the implementation process of the Convention the State party pay special attention to the situation of talibés. Further measures should be adopted to ensure the effective enjoyment of their fundamental rights and that they are protected against any form of discrimination. Efforts should be made to ensure an effective monitoring system of their situation by the State party, in close cooperation with religious and community leaders.

779. In the light of article 44, the Committee suggests that the initial report presented by Senegal be made widely available to the public at large and that the publication of the report be considered, along with the summary records of the discussion and the concluding observations adopted thereon by the Committee.

28. Concluding observations: Portugal

780. The Committee considered the initial report of Portugal (CRC/C/3/Add.30) at its 250th to 252nd meetings (CRC/C/SR.250-252), on 9 and 10 November 1995, and adopted, at its 259th meeting, on 17 November 1995, the following observations.

(a) Introduction

781. The Committee notes that although the report prepared by the State party was comprehensive in offering information on the legislative framework for the implementation of the Convention on the Rights of the Child, it did not contain sufficient information on the actual implementation of the provisions of the Convention throughout the country. The Committee, therefore, wishes to express its appreciation to the delegation which presented the report for its frank and self-critical approach to answering the questions raised by the Committee and for the helpful and valuable responses in clarifying the measures being taken and considered for the implementation of the Convention. It is the view of the Committee that the discussion and exchange of views with the delegation was constructive and fruitful.

(b) Positive factors

782. The Committee welcomes the political commitments made by the State party's recently elected Government to implement all the provisions and principles of the Convention in the country.

783. The Committee welcomes the decision taken by the Government to improve the implementation of economic, social and cultural rights, and notes with satisfaction the establishment of a national minimum guaranteed income.

784. The Committee welcomes the steps undertaken by the Government concerning education, i.e., an increase in the budgetary allocation for education equivalent to 1 per cent of the gross domestic product until 1999 and an increase in the network of pre-school facilities.

785. The Committee welcomes the establishment of an ombudsperson (Proveda de Justicia) and the creation in the ombudsperson's office of a focal point on children's rights.

786. The Committee welcomes the fact that the State party has indicated its intention to consider adhering to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

787. The Committee welcomes the fact that ratification of ILO Convention No. 138 is currently being discussed with a view to its ratification in the near future.

(c) Principal subjects of concern

788. The Committee is concerned by the absence of an efficient coordinating and monitoring mechanism that is able to offer a systematic and comprehensive compilation of data and indicators on all areas covered by the Convention and in relation to all groups of children. Such a mechanism would facilitate coordination and monitoring between the local, regional and national levels and improve the implementation of all policies and programmes relating to the rights of the child.

789. The Committee is concerned by the absence of a systematic information policy for the dissemination of the Convention among children and adults. It also expresses concern about the insufficient training activities on the Convention, especially for professional groups such as judges, lawyers, teachers, social workers, doctors, law enforcement personnel, etc.

790. The Committee is concerned by the absence of a permanent consultation mechanism that would permit effective participation by the civil society, in particular non-governmental organizations.

791. With regard to article 4 of the Convention, the Committee is concerned by the fact that the Government has not yet fully implemented the economic, social and cultural rights of the child to the maximum extent of available resources. The Committee is also concerned that the State party's international cooperation policies do not yet fully give priority to children.

792. With regard to article 2 of the Convention, the Committee notes with concern that the principle of non-discrimination is not fully implemented for girls, disabled children and illegal immigrant children, non-accompanied children and children living in rural areas, especially in the fields of education and health.

793. The Committee expresses its concern in relation to the full implementation of the participatory rights of children (art. 12 of the Convention).

794. The Committee is worried about the insufficient measures adopted to prevent and fight abuse and corporal punishment, in particular within the family.

795. With regard to article 17 of the Convention, the Committee notes that access to appropriate information is not always guaranteed for children, especially those living in rural areas.

796. The Committee is concerned by the increasing number of children living in the streets of the main cities and the lack of information in this area.

797. The Committee is worried about the full implementation of the Convention in the field of the administration of juvenile justice.

(d) Suggestions and recommendations

798. The Committee recommends that the State party strengthen coordination and monitoring between the different governmental mechanisms involved in children's rights, at national, regional and local levels, with a view to ensuring effective implementation of the Convention throughout the country and for all groups of children. Closer cooperation with non-governmental organizations should be promoted.

799. In the framework of the United Nations Decade for Human Rights Education, the Committee recommends that the State party launch a permanent information campaign, both for children and adults, on the Convention on the Rights of the Child. The Government should consider incorporating the Convention into the school curricula and take appropriate measures to facilitate access by children to information produced for them. The Committee suggests that the State party promote a comprehensive training programme policy for professional groups such as teachers, social workers, doctors, law enforcement personnel and immigration officers.

800. The principle of non-discrimination should be fully implemented by the State party; the Committee therefore recommends that effective measures be taken to promote and improve the situation of the most vulnerable groups of children, including girls and disabled children, and that the rights of illegal immigrant children and non-accompanied children be fully protected. Information on

children's rights should be made available to all refugee children in their own language.

801. The Committee encourages the State party to pursue its efforts with a view to ratifying ILO Convention No. 138 in the near future.

802. The Committee recommends that the authorities take the necessary measures, including the implementation of a national policy, to prevent abuse and corporal punishment of children, including within the family.

803. The Committee recommends that measures be taken to give appropriate support to all children living at risk, especially children living on the streets. The Committee suggests that a comprehensive study be undertaken by the authorities so that they may be in a position to promote and implement policies and programmes.

804. With regard to juvenile justice, the Committee recommends that all appropriate measures be taken to ensure full compatibility with the principles and provisions of the Convention. Alternatives to institutionalization and detention should be systematically reviewed to ensure that those measures are taken only as a last resort.

805. The Committee encourages the State party to pursue its efforts to implement the Convention in the territory of Macau and encourages the submission of information on this process to the Committee as soon as new developments occur.

806. The Committee encourages the State party to disseminate widely the State party's report, the summary records of the discussion of the report within the Committee and the Committee's concluding observations. These documents might be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up.

29. Concluding observations: Holy See

807. The Committee considered the initial report of the Holy See (CRC/C/3/Add.27) at its 255th and 256th meetings (CRC/C/SR.255 and 256), on 14 November 1995, and adopted, at its 259th meeting, on 17 November 1995, the following concluding observations.

(a) Introduction

808. The Committee expresses its appreciation to the Holy See for its initial report, although, owing to the particular nature of the State party, it did not follow the Committee's guidelines. It also expresses its appreciation for the frank and open dialogue engaged with a high-level delegation. The Committee takes note of the answers given to the questions raised by members and the documentation provided to the Committee during the discussion, which enabled the Committee to better assess the role of the Holy See in the implementation of the Convention on the Rights of the Child.

(b) Positive factors

809. The Committee welcomes the efforts of the State party with a view to encouraging universal ratification of the Convention.

810. The Committee welcomes the State party's recognition of the important role the Holy See and its constituencies could play throughout the world to achieve the aims and objectives of the Convention. The Committee takes note of the network of institutions and structures set up by the Holy See for the welfare of children, such as the Pontifical Council for the Family, the Congregation for Catholic Education, the Pontifical Council for Pastoral Assistance to Health Care Workers and the Pontifical Missionary Society of the Holy Childhood.

811. The Committee notes the positive efforts made by the State party to disseminate and translate the Convention worldwide and welcomes its readiness to cooperate actively with and to provide assistance to other States parties in that regard.

812. It welcomes the decision taken by the Pontifical Council for the Family, as a concrete contribution to the International Year of the Family, to set up shelters for street children in Brazil, the Philippines and Rwanda.

(c) Principal subjects of concern

813. The Committee is concerned about reservations entered by the Holy See to the Convention, in particular with respect to the full recognition of the child as a subject of rights.

814. The Committee is concerned that discrimination between children may arise in Catholic schools and institutions, in particular with regard to gender.

815. The Committee is concerned at the insufficient attention paid to the promotion of education of children on health matters, the development of preventive health care, guidance for parents and family planning education and services, in the light of the provisions of the Convention.

(d) Suggestions and recommendations

816. In the spirit of the final document of the World Conference on Human Rights, the Committee wishes to encourage the State party to consider reviewing its reservations to the Convention with a view to withdrawing them.

817. In view of the moral influence wielded by the Holy See and the national Catholic churches, the Committee recommends that efforts for the promotion and protection of the rights provided for in the Convention be pursued and strengthened. In that regard, the Committee wishes to underline the importance of wide dissemination of the principles of the Convention and its translation into languages spoken throughout the world, and recommends to the State party to continue to play an active role to that end.

818. The Committee emphasizes the need for professionals and voluntary workers involved in the education and protection of children to receive adequate training and education, taking into account the principles set forth in the Convention. The Committee also recommends that the Convention be included in the curricula of Catholic schools. In this respect, it is the view of the Committee that the teaching methods used in schools should reflect the spirit and philosophy of the Convention and the aims of education laid down in its articles 28 and 29.

819. The Committee recommends that the position of the Holy See with regard to the relationship between articles 5 and 12 of the Convention be clarified. In this respect, it wishes to recall its view that the rights and prerogatives of

the parents may not undermine the rights of the child as recognized by the Convention, especially the right of the child to express his or her own views and that his or her views be given due weight.

820. It also recommends that the spirit of the Convention and the principles set forth therein, in particular the principles of non-discrimination, of the best interests of the child and of respect for the views of the child, be fully taken into account in the conduct of all the activities of the Holy See and of the various church institutions and organizations dealing with the rights of the child.

30. Concluding observations: Yemen

821. The Committee considered the initial report of Yemen (CRC/C/8/Add.20) at its 261st to 263rd meetings (CRC/C/SR.261-263) on 9 and 10 January 1996, and adopted at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

822. The Committee notes with appreciation the submission of the initial report of Yemen and its self-critical approach in identifying a number of areas of concern. It regrets, however, that the report has not followed the guidelines for the preparation of States parties' initial reports and that some areas covered by the Convention on the Rights of the Child have not been addressed therein.

(b) Positive factors

823. The Committee welcomes the comments made by the State party's delegation on the importance it attaches to the guidance offered by the Committee as to steps to be taken to implement the Convention effectively, including with a view to bringing domestic law into line with the Convention.

(c) Factors and difficulties impeding the implementation of the Convention

824. The Committee notes that, during the last few years, Yemen has had to face serious political, economic and social challenges, including those arising from the unification process, the return of a large number of Yemeni expatriates after the Gulf war, the war of 1994 and the substantial influx of refugees from the Horn of Africa. Those factors have adversely affected the situation of children.

825. The Committee also notes the persistence of certain traditions and customs that are contrary to the principles and provisions of the Convention.

(d) Principal subjects of concern

826. The Committee is concerned about the unclear status of the Convention in the domestic legal framework and about the insufficient steps taken to bring existing legislation into full conformity with the Convention, including in the light of the general principles of the Convention, in particular the principles of non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12).

827. The Committee is also concerned at the lack of conformity of legislative provisions with respect to the legal definition of the child, as is the case of the minimum age for marriage and the age of criminal responsibility, which is set at too low an age level.

828. The Committee expresses its deep concern at the persistence of discriminatory attitudes towards girls, hampering the enjoyment of their basic rights, including in situations of early marriage. The lower marriageable age for girls than for boys raises serious questions as to its compatibility with the Convention, in particular its article 2.

829. The Committee is also concerned at the insufficient measures and programmes for the protection of the rights of the most vulnerable children, in particular girls, children living in rural areas, children victims of abuse, children affected by armed conflicts, disabled children akhdam children and children who are forced to live and/or work in the streets, including child beggars.

830. The Committee expresses its deep concern about the insufficient measures taken to ensure the full implementation of the provisions and principles of the Convention in the area of the administration of juvenile justice, including articles 37, 39 and 40.

831. The Committee regrets the insufficient steps taken to create awareness of the Convention and to disseminate information on the rights of the child to children and adults alike, as well as the lack of training activities for professional groups working with and for children, including teachers, social workers, health personnel, judges and law enforcement officials.

832. The lack of a comprehensive policy on children and of a systematic and carefully planned coordination of mechanisms and programmes to monitor the situation of children is a matter of concern. The Committee also notes the insufficient measures taken to gather reliable quantitative and qualitative data, to evaluate the progress achieved and to assess the impact of policies adopted concerning children.

833. As regards the implementation of article 4, the Committee is concerned about the insufficient measures taken to ensure the implementation of economic, social and cultural rights to the maximum extent of available resources, in particular in relation to the most vulnerable groups.

(e) Suggestions and recommendations

834. The Committee recommends that the State party pursue its efforts with a view to ensuring full compatibility of its national law with the Convention, taking due regard of the general principles of the Convention, including those relating to the prohibition of discrimination, the best interests of the child and respect for the views of the child. In this regard, special measures should be taken to raise the minimum age for marriage while ensuring that the age is the same for boys and girls. Similarly, the age of criminal responsibility should not be set too low and it should be ensured that below such an age, children are presumed not to have the capacity to infringe the penal law, in the light of article 40, paragraph 3 (a), of the Convention.

835. The Committee encourages the Government of Yemen to pursue its efforts to promote advocacy and create a wider awareness and understanding of the principles and provisions of the Convention, in the light of article 42 of the Convention. The Government should pursue such efforts in close cooperation with

community and religious leaders, as well as with non-governmental organizations, with a view to promoting change in persisting negative attitudes towards children, particularly those belonging to the most vulnerable groups.

836. The Committee encourages the State party to pay special attention to enhancing the role of the family in the promotion of children's rights, and in this regard stresses the importance of the status of women in family and social life. In this regard, the Committee recognizes the importance of developing family counselling services, in both urban and rural areas.

837. The Committee recommends that the State party ensure specific training activities on the Convention to professional groups working with and for children, including teachers, social workers, health personnel, judges and law enforcement officials. Attention should be given to incorporating the Convention in school curricula as recommended by the General Assembly in proclaiming the United Nations Decade for Human Rights Education and by the World Conference on Human Rights.

838. The Committee also recommends that the State party establish a permanent and multidisciplinary mechanism for the coordination and monitoring of the implementation of the Convention on the rights of the child, both at the national and local levels, in urban as well as rural areas, and to allow for the definition of a comprehensive policy on children. Closer cooperation with non-governmental organizations should also be promoted.

839. The Committee encourages the Government to improve the system of collecting statistical and other data in all areas covered by the Convention, with a view to evaluating progress in the realization of children's rights. Appropriate disaggregated indicators should be identified in order to pay particular attention to all groups of children, including the most vulnerable ones such as girls, children living in rural areas, children victims of abuse, children affected by armed conflicts, disabled children, akhdam children and children who are forced to live and/or work in the streets. Research activities should also be undertaken in these areas in cooperation with academic institutions and non-governmental organizations.

840. The Committee recommends that the State party, in the light of article 4 of the Convention and of the principles of non-discrimination and the best interests of the child, undertake all appropriate measures, to the maximum extent of the available resources, to ensure that budgetary allocation is provided to services for children, particularly in the areas of education and health, and that priority attention is paid to the protection of the rights of children belonging to the most disadvantaged groups, including girls, children living in rural areas, children affected by armed conflicts, disabled children, akhdam children and children who are forced to live and/or work in the streets.

841. The Committee recommends that special protection measures be adopted and implemented in relation to refugee children, children involved with the juvenile justice system, particularly when deprived of their liberty, children involved in child labour and children forced to live and/or work in the streets, including child beggars. In this regard, the Committee encourages the State party to take into consideration the recommendations formulated by the Committee at its thematic discussions, including on the economic exploitation of the child and the administration of juvenile justice.

842. The Committee recommends that a progress report be prepared in accordance with the Committee's guidelines for initial reports and taking into account the

concerns expressed during the dialogue held with the Government, and submitted to the Committee by January 1997.

843. The Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the report submitted by the Government, the relevant summary records of the debate with the Committee and its concluding observations be made widely available to the public.

31. Concluding observations: Mongolia

844. The Committee considered the initial report of Mongolia (CRC/C/3/Add.32) at its 264th to 266th meetings (CRC/C/SR.264-266), on 10 and 11 January 1996, and adopted, at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

845. The Committee expresses its appreciation to the Government of Mongolia for the submission of its initial report, its written information in reply to the questions set out in the list of issues (CRC/C/11/WP.2) and its constructive and fruitful dialogue. The Committee is encouraged by the frank and cooperative tone of the discussion, in which the representatives of the State party indicated not only the policy and programme directions, but also the difficulties encountered during implementation of the Convention on the Rights of the Child.

(b) Positive factors

846. The Committee takes note with satisfaction that the Government has put children high on its political agenda, during a difficult period of political and economic transition, by organizing several high-level meetings, such as the National Summit on Child Protection and Development (1995), by declaring 1995 the Year for Children and 1996 the Year for Education and by allocating 20 per cent of its national budget to education.

847. The Committee welcomes the State party's wish to seek advice and technical assistance to ensure full implementation of the provisions of the Convention in its legislation and in the field of the administration of juvenile justice.

848. The Committee notes the efforts by the Government in the field of law reform, especially the adoption of a new Constitution, a new law on education and the current drafting of legislation on the rights of the child.

849. The Committee also welcomes the establishment of mechanisms to deal with children's issues and the question of children's rights, in particular the National Centre for Children and the National Council for Children.

850. The Committee is encouraged by the Government's willingness to disseminate the Convention within Mongolian society and to make public through the media, and especially television programmes, all its related actions.

(c) Factors and difficulties impeding the implementation of the Convention

851. The Committee notes the difficulties facing Mongolia in the present period of political transition, social change and deep economic crisis. The situation of many children has worsened as a consequence of growing poverty and increasing

unemployment. The Committee also notes the geographical and climatic particularities of Mongolia, which can, to some extent, affect the daily life of children.

(d) Principal subjects of concern

852. The Committee is worried about the impact on children of the difficult economic situation prevailing in the country. In this connection, it is particularly concerned as to whether appropriate measures have been taken to protect children, particularly those belonging to the most vulnerable groups, in the light of articles 3 and 4 of the Convention.

853. The Committee is concerned at the insufficient attention paid to the need for an efficient coordination mechanism between various ministries, as well as between central authorities and local authorities, in the implementation of policies for the promotion and protection of the rights of the child.

854. The Committee is concerned at the insufficient attention paid to systematic and comprehensive data collection, identification of appropriate indicators and monitoring mechanisms in all areas covered by the Convention, especially the most hidden, such as child abuse or ill-treatment, and also in relation to all groups of children, including minority group children, nomad children, children of single-parent families, children in rural areas, institutionalized and disabled children and children living and/or working on the streets.

855. The Committee expresses its concern that the State party has not yet taken fully into account in its legislation the general principles of the Convention: article 2 (principle of non-discrimination), article 3 (principle of the best interests of the child), article 6 (right to life, survival and development) and article 12 (respect for the views of the child).

856. The Committee is concerned at the insufficient steps undertaken to ensure birth registration of children and by the fact that children living in remote areas might not be registered and may therefore be deprived of their fundamental rights.

857. The Committee is worried by the absence of legislation regulating international adoptions.

858. The Committee is worried by the high rate of school drop-outs, especially among boys living in rural areas, and the reported increase of child labour. It is also concerned by the difficulties encountered by children living in rural and remote areas and by disabled children in their access to basic services, such as health care, social services and education.

859. The Committee is concerned that appropriate measures have not yet been taken to prevent and combat effectively ill-treatment of children within the family and about the insufficient information existing on this matter. The problem of sexual exploitation of children also requires special attention.

860. The situation in relation to the administration of juvenile justice and in particular its compatibility with articles 37 and 40 of the Convention, as well as other relevant standards, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, is a matter of concern to the Committee.

(e) Suggestions and recommendations

861. The Committee recommends that the State party take further steps to strengthen coordination between the different governmental mechanisms involved in human rights and children's rights, at both the central and local levels, and ensure closer cooperation with non-governmental organizations.

862. The Committee further recommends that the State party undertake to gather all necessary information on the situation of children in the various areas covered by the Convention, including on children belonging to the most vulnerable groups. It also suggests that a multidisciplinary monitoring system be established to assess the progress achieved and difficulties encountered in the realization of the rights recognized by the Convention at the central and local levels, and in particular to monitor regularly the effects of economic change on children. Such a monitoring system should enable the State party to shape appropriate policies and to combat prevailing social disparities and traditional prejudices. The Committee also encourages the State party to consider the establishment of an independent mechanism, such as an ombudsperson.

863. The Committee is of the opinion that greater efforts are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of article 42 of the Convention. The Committee wishes to encourage the State party to further develop a systematic approach to increasing public awareness of the participatory rights of children in the light of article 12 of the Convention.

864. The Committee recommends that periodic training programmes on the rights of the child be organized for professional groups working with or for children including teachers, law enforcement officials, social workers and judges, and that human rights and children's rights be included in their training curricula.

865. Children's birth registration should be given priority to ensure that every child is recognized as a person and enjoys his/her full rights. The Committee encourages further steps to ensure birth registration of children, including the establishment of mobile registrations offices.

866. In the light of article 2 of the Convention, the Committee also recommends that the State party take all necessary measures to fight school drop-out among boys in rural areas and to prevent their involvement in child labour, and to reinforce access to basic services for children (health, education and social care) in rural areas and for disabled children throughout the country.

867. The Committee recommends that, in the framework of its legal reform, the Government take fully into account the provisions of the Convention, especially its general principles (arts. 2, 3, 6 and 12).

868. In relation to intercountry adoption, the Committee is of the opinion that the State party should, as soon as possible, draft and adopt legislation to regulate this activity. The State party is also encouraged to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993.

869. In order to promote the protection of refugee children, the Committee recommends that the State party ratify the 1951 Convention relating to the Status of Refugees.

870. The Committee encourages the Government of Mongolia to pay particular attention to the full implementation of article 4 of the Convention and to ensure judicious distribution of resources at the central and local levels. Budget allocations for the implementation of economic, social and cultural rights should be ensured to the maximum extent of available resources and in the light of the best interests of the child.

871. In the light of article 19 of the Convention, the Committee further recommends that the Government take all appropriate measures, including legislative ones, to combat ill-treatment within the family and sexual abuse of children. It suggests, inter alia, that the authorities gather information and initiate a comprehensive study to improve understanding of the nature and scope of the problem and set up social programmes to prevent all types of child abuse.

872. In the field of the administration of juvenile justice, the Committee recommends that legal reform be pursued and take fully into account the Convention, in particular articles 37, 39 and 40, and other relevant international standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be paid to the prevention of juvenile delinquency, the protection of the rights of children deprived of their liberty, respect for fundamental rights and legal safeguards in all aspects of the juvenile justice system and full independence and impartiality of the judiciary dealing with juveniles.

873. In the framework of the ongoing technical assistance programmes of the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch, law reform in the field of children's rights and training of professionals working with children should be initiated. Special attention should be paid to training in the relevant international standards, in particular for judges, law enforcement officials, correctional officers and social workers. The Government is encouraged to consider requesting this specific assistance from the Centre and the Branch. It is further suggested that the Government consider seeking technical assistance from other relevant organizations, including ILO, UNHCR, UNICEF and WHO. The Committee also encourages the international community to provide technical assistance and advice to the State party in its current efforts.

874. The Committee encourages the State party to disseminate widely the State party's report, the summary records of the discussion of the report within the Committee and the concluding observations adopted by the Committee following its consideration of the report. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up. In this regard, the Committee suggests that cooperation with non-governmental organizations be reinforced.

32. Concluding observations: Federal Republic of Yugoslavia

875. The Committee considered the initial report of the Federal Republic of Yugoslavia (Serbia and Montenegro) (CRC/C/8/Add.16) at its 269th meeting (CRC/C/SR.269), on 15 January 1996. As the Committee was unable to benefit from the presence of the representatives of the State party, the examination of the State party's report in the Committee proceeded on the basis of written information submitted by the Government as well as other documents received, including the reports of the Special Rapporteur on the situation of human rights

in the territory of the former Yugoslavia. Subsequent to the consideration of this information and taking into account the recent positive developments in Yugoslavia, the Committee decided to request the State party to submit a progress report to it before the end of 1997. In view of the considerable importance the Committee attaches to a dialogue with the State party's representatives, the Committee expresses the hope that on the occasion of the examination of the requested progress report, the Committee will be able to benefit from the presence of an exchange of views with the representatives. The Committee further decided to adopt, at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Factors and difficulties impeding the implementation of the Convention

876. The Committee recognizes that serious difficulties have been faced by the Federal Republic of Yugoslavia since it became a party to the Convention on the Rights of the Child. Mention may be made, in this regard, of the State party's transition to a market-oriented economy and the attendant problems experienced by the population during this period. The break-up of the former Yugoslavia produced other serious consequences, including of an economic nature.

877. Although the State party has not been the theatre of war, the consequences of hostilities in the neighbouring territories has had a severe impact on the population.

878. The large influx of refugees has placed a further strain on resources in the Federal Republic, especially as the State party appears to have received less international support in sharing the refugee burden than other countries in the region.

879. Such consequences of the war on the territory of the former Yugoslavia, combined with the realities of sanctions, seem to have led to a worsening of the indicators of the health and education situation of the children of the Federal Republic, including lower immunization coverage, more nutrition-related disorders and illnesses, and an increase in the number of children suffering from mild and serious mental disorders. The sanctions against the Federal Republic may have led to the isolation of professionals dealing with the rights of the child.

(b) Principal subjects of concern

880. The Committee remains uncertain as to the extent to which a system for the independent monitoring of the rights of the child, such as an ombudsperson for children or a similar national institution, exists and operates in the Federal Republic.

881. The Committee raises various points of concern with reference to the implementation of article 2 of the Convention relating to non-discrimination. It expresses grave concern about the situation of Albanian-speaking children in Kosovo, especially with regard to their health and education, as well as the degree to which this population is protected from abuse by the police. From the information reported to the Committee, it appears that the rejection by the population of the Government's decision to apply a uniform education system and curriculum has been followed by the summary dismissal of 18,000 teachers and other education professionals and to more than 300,000 school-age children not attending school. The subsequent development of a parallel system of education and the tensions surrounding this development in Kosovo have resulted in further

detrimental effects, including the closure of schools and the harassment of teachers.

882. The Committee draws attention to the serious problems threatening the health care system, which have involved large-scale dismissals of health personnel, thereby adversely affecting the health and social protection of Albanian-speaking children in Kosovo.

883. Additionally, the Committee expresses its concern at the information it has received concerning the abuse of children and teachers by the police as well as at the prevailing opinion of the victims of such abuse that the police are able to act with impunity.

884. The Committee also wishes to express its concern over reports of the treatment of persons, including children belonging to a religious minority (Muslims), in Sandjak where incidents of harassment, police abuse, violent house searches and commission of human rights violations with impunity are alleged to have occurred. There have also been reports about serious incidents of discrimination against the Roma (Gypsy) population.

885. The Committee is concerned at the information brought to its attention concerning the hostile sentiments apparently broadcast by certain mass media. The Committee is worried about tendencies in the media that may lead to the incitement of hatred against certain ethnic and religious groups.

886. The Committee is deeply concerned about the absence of pluralism in the activities of the major organs of mass media, limiting the freedom of the child to receive information and the freedom of thought and conscience, as provided for in articles 13 and 14 of the Convention.

887. The Committee remains uncertain as to the extent to which the State party has undertaken measures to ensure that the traditional view of children as mere objects of care has been replaced by an understanding and recognition of the child as a subject of rights. In this regard, clarification is requested as to the applicability of the provisions of the Constitution guaranteeing respect for the civil rights and freedoms of children, including the right to privacy provided for in article 16 of the Convention.

888. The Committee is concerned that the problem of statelessness has not been resolved, in particular with regard to refugee children and children born outside the territory of the Federal Republic and subject to its jurisdiction.

889. The Committee wishes to express its concern about the seeming overemphasis on the resort to and use of institutional care for children in need of assistance. The Committee is of the opinion that this form of alternative care may not necessarily be the most effective, as it is reported that the assistance provided may not be of consistent quality and that insufficient attention is given to preparing children for their eventual return to their family or their integration into the community.

890. The Committee is concerned that there appears to be an increase in violent and aggressive behaviour among children and adolescents in the Federal Republic. In this context, the problem of the abuse of children is also a concern of the Committee.

891. The Committee wishes to express concern at information brought to its attention which indicates that disparities exist between regions and between

rural and urban areas with regard to the provision of health care to children. The Committee also notes with concern that according to other information brought to its attention there has been a discernible increase in the number of children, including refugee children, with mild and serious mental disorders. The situation of disabled children generally is an issue of concern to the Committee. The Committee requires more concrete information on the measures taken for the early identification of disabilities and the prevention of neglect or discrimination against children with disabilities.

892. The Committee takes note that concern has been expressed that the costs of children's education may be growing beyond the reach of certain families. It is also noted that a decline in pre-school education has been recorded in recent years. Reports of the progressive exclusion of teaching in languages other than Serbian, such as Bulgarian, are also disquieting to the Committee.

893. The Committee wishes to draw the attention of the State party to the constraints that are reported to be hampering the reunification of unaccompanied refugee children with their families and to the Committee's concern about the extent to which the rights of these children, most of whom are living in institutions, are being guaranteed and protected.

894. The Committee is deeply concerned about administrative measures which have allegedly made it impossible for applicants from certain regions to acquire refugee status. It is reported that once refugee status is denied the applicants, including children, no longer have a legal basis for remaining in the country and consequently become vulnerable to police harassment and to the loss of social welfare entitlements.

895. While the Committee notes that most refugees seem to be placed with host families, it expresses concern that the prevailing economic situation of these families is reported to be growing more precarious.

896. Various matters relating to juvenile justice are a cause of concern to the Committee. For example, the Committee is concerned that social welfare agencies and services might enjoy wide discretionary powers to the detriment of the application of the principle of the rights of the child as the framework for the functioning of the administration of the juvenile justice system. The apparent lack of mechanisms for the registration by children of complaints of ill-treatment and for the full and impartial investigation of those complaints is also a cause for concern. Additionally, the Committee is concerned as to the adequacy of measures taken for the protection of the rights of the child during investigation procedures and during the period of pre-trial detention.

(c) Suggestions and recommendations

897. The Committee encourages the State party to review its reservation to the Convention with a view to considering its withdrawal.

898. While acknowledging that activities have been undertaken to make the Convention known to adults and children alike, the Committee is of the opinion that further efforts seem to be required in this respect.

899. It is the opinion of the Committee that training and retraining programmes and opportunities need to be systematically developed for professionals working with or for children, in particular the police and law enforcement and army personnel, to ensure that they understand children's rights and their

responsibility for actions taken with impact on the promotion and protection of the rights of the child.

900. The Committee suggests that the State party consider the possibility of undertaking an assessment of the effectiveness of existing arrangements for coordinating activities carried out within and between ministries and central and local authorities for the promotion and protection of children's rights, with a view to determining whether measures are required to improve the system of coordination and cooperation for the implementation of the Convention in the country.

901. Within the framework of nurturing further international cooperation, the Committee encourages the State party to continue to give serious consideration to the question of the establishment of an office in Belgrade within the ambit of the work of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia. The Committee also encourages the State party to cooperate in the work of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the of the Former Yugoslavia since 1991.

902. The Committee strongly recommends that a solution be found to the concerns of the Committee for the situation of Albanian-speaking children in Kosovo, especially in the light of the principles and provisions of the Convention, including those of its article 3 relating to the best interests of the child. The Committee observes that the State-controlled mass media, in the interests of healing and building trust within the country, have a role and a responsibility to contribute to the efforts to foster tolerance and understanding between different groups and that the broadcasting of programmes that run counter to this objective should end. The Committee recommends that the securing and dissemination of broader and more diverse sources of information designed for children, including by broadcasting them on the mass media, would assist in ensuring further implementation of the principles and provisions of the Convention, including those of its article 17. It is also suggested that measures should be taken to improve the activities of the mass media in imparting information for children in their own language, including Albanian.

903. On the basis of information presented to it, the Committee suggests that the State party give further consideration to the need to allocate greater resources to education and to reverse any trends in the education system that may perpetuate gender discrimination or stereotyping, as well as to addressing other problems, including those relating to teaching in national languages.

904. Note is taken of the provisions of article 2 of the Primary School Act, by which certain of the aims of education laid down in article 29 of the Convention have been incorporated into school curricula. It is the view of the Committee that the principle contained in article 29 (1) (d), which stipulates that "the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin", is an important dimension that should be integrated into curricula at all levels of schooling. School curricula materials should be developed, if they do not already exist, which aim at educating children in the spirit of tolerance of and regard for different civilizations.

905. The Committee takes note that the principle of respect for the views of the child has been reflected in such situations as the change of name or adoption of

the child. While it is also acknowledged that the expression of children's views in schools exists through the activities of students and class groups, the Committee is of the opinion that the undertaking of further pro-active measures to encourage children to participate in family, community and social life, in general, merits greater attention.

906. Legislative and other measures should be undertaken to ensure that children are protected from statelessness and that for each child under the jurisdiction of the State, the rights set forth in the Convention are respected and ensured.

907. The Committee is of the opinion that there appears to be a need for more pre-marriage counselling and family life education programmes, including as a means to prevent family breakdown.

908. As regard the efforts required to reduce the recourse to institutional care for children in difficult situations, the Committee recommends that greater attention be paid to the development and use of alternative forms of care, such as foster care and adoption.

909. With reference to the implementation of article 19 of the Convention and the efforts required to prevent and combat the abuse of children, the Committee recommends that consideration be given to the elaboration of a comprehensive and integrated public information campaign, to the undertaking of a review of the national legislative measures in this field and their compliance with the Convention's provisions, as well as to the further development of training programmes for professionals involved in this field of work.

910. With a view to contributing to the most effective use of scarce resources, the Committee recommends that the State party accord greater attention and consideration to the development of a strong primary health care system. Such a system would have the benefits of according due attention to developing a culture of nutrition, hygiene and sanitation education, transmitting health skills to parents, and enhancing participatory approaches to the distribution and use of resources throughout the health care system.

911. In connection with the implementation of article 39 of the Convention, the Committee suggests that the State party consider as a matter of priority the further development of rehabilitative programmes. In this regard, the problem of the apparent scarcity and inadequacy of programmes for the treatment of post-traumatic stress disorders, identified primarily in refugee children, needs to be adequately addressed.

912. In the case of alleged violations of human rights committed by groups of individuals, the Committee emphasizes the responsibility of the authorities to take measures to protect children from such acts. It is also the opinion of the Committee that those accused of abuses should be tried and, if found guilty, punished. In addition, the outcome of investigations and cases of conviction should be widely publicized in order to combat any perception of impunity.

913. With regard to the implementation of the provisions of the Convention concerning preventing and combating various forms of exploitation, the Committee wishes to receive further information with respect to the functioning of the labour inspectorate system and the implementation of sanctions for non-compliance with the requirements of the labour legislation.

914. Concerning the application of the provisions of article 33 of the Convention, the Committee suggests that consideration be given, if necessary, to

the further development of systems for the collection of reliable data on the problem of drug abuse and to the incorporation of a uniform drug prevention programme within the education system.

915. Further information and research findings on the causes of sexual exploitation and abuse would be welcomed by the Committee. The Committee also suggests that the State party consider the possibility of reviewing its legislation in relation to the age of sexual consent in the light of the concerns raised on this matter by the Committee. It is also the view of the Committee that serious consideration should be given to the possibility of allocating further resources for programmes for the prevention of sexual abuse and exploitation and the rehabilitation of victims, including training of and support to the professionals dealing with these issues and the development of an integrated and coordinated approach to assist both the victims and the perpetrators of such abuse. In connection with this point, the Committee wishes to encourage the State party to consider greater use of the media in relation to awareness-raising and education on the dangers of sexual exploitation and abuse and the issues of HIV/AIDS and other sexually transmitted diseases.

916. In the light of the commitment expressed by the State party, in its written information to the Committee, to publish and widely disseminate its report as well as the summary records and the Committee's concluding observations, the Committee encourages the State party to take the necessary steps. Additionally, the Committee supports the intention of the State party to present the aforementioned publication in the Federal Assembly and to hold a discussion of its contents. The Committee is also encouraged by the media's pledge to give full coverage to the discussion of the State party's report by the Committee.

917. The Committee further proposes that a progress report on the implementation of the Convention, taking into account the concerns raised and observations made during the Committee's discussion, be submitted to the Committee before the end of 1997.

33. Concluding observations: Iceland

918. The Committee considered the initial report of Iceland (CRC/C/11/Add.6 and HRI/CORE/1/Add.26) at its 272nd to 274th meetings (CRC/C/SR.272-274), on 16 and 17 January 1996, and adopted, at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

919. The Committee expresses its appreciation to the State party for its comprehensive report, established in accordance with the Committee's guidelines. It welcomes the self-critical approach taken by the Government of Iceland in preparing its report. The Committee also welcomes the written answers to the Committee's list of issues, which were submitted on time.

920. The presence of a high-level delegation enabled the Committee to engage in a constructive dialogue with those directly involved in the implementation of the Convention on the Rights of the Child.

(b) Positive factors

921. The Committee welcomes the statement of the delegation that the declarations made by Iceland upon the ratification of the Convention on its

articles 9, paragraph 1, and 37 (c), may be reviewed, with a view to their eventual withdrawal.

922. The Committee notes with appreciation the strengthening of the protection of human rights in general and of children's rights in particular in the Constitution; it particularly welcomes the inclusion in the Constitution of a provision directly based on article 3, paragraph 2, of the Convention. It also notes that important international instruments, such as the Hague Convention on the Civil Aspects of International Child Abduction and the European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children, have recently been ratified by Iceland. The commitment of the authorities to ratify in the near future ILO Convention No. 138 on the minimum age for employment is also noted with satisfaction.

923. The Committee welcomes the establishment of the Office of Children's Ombudsman and its role of disseminating among the public information on the rights of the child and of encouraging compliance with the international instruments ratified by Iceland concerning those rights, among them the Convention.

924. The Committee also welcomes the establishment of the Government Agency for Child Protection in March 1995. Its functions, as a centralized authority providing the Child Welfare Committees with improved support, preparing training programmes for members of the Child Welfare Committees, or informing foster parents and preparing them to assume their tasks, are of great importance for a better implementation of the rights enshrined in the Convention.

925. The Committee acknowledges the efforts undertaken by the authorities to find creative ways to ensure the effective dissemination of the Convention, such as the establishment of an interministerial working group to decide on the form the publicity campaigns on the Convention should take. It also acknowledges the commitment of the authorities to strengthening their relationships and cooperation with non-governmental organizations working in the field of the protection and promotion of children's rights.

926. With regard to the high number of domestic or other accidents whose victims are children in Iceland, the Committee welcomes the establishment of the Accident Prevention Council in 1994.

927. The Committee welcomes the initiative of the Ministry of Education to appoint an interministerial committee to formulate overall policy with regard to immigrants and to coordinate the authorities' activities in relation to immigrant issues. The Committee also welcomes the establishment, under the auspices of the Ministry of Education since the autumn of 1993, of a special programme, for the benefit of teachers at all levels (from nursery schools to secondary schools and adult education), on education for immigrants.

928. The recent developments in the area of refugee matters are considered by the Committee to be promising; the establishment of a Refugee Council to organize the acceptance and arrival of refugees in Iceland, with special attention being given to child refugees, and to deal with asylum seekers whose requests are pending before the authorities, is viewed as a very positive measure. Likewise, the Committee welcomes the legal change abolishing the requirement that a person seeking Icelandic citizenship has to add an Icelandic name to his or her original name.

929. With regard to article 7, paragraph 2, of the Convention, the Committee takes note with satisfaction of the intention expressed by the delegation that a government proposal dealing expressly with the status of stateless children will be presented to the Althing in due time.

(c) Principal subjects of concern

930. The Committee wishes to emphasize that the Convention provides for the protection and care of children, and in particular for the recognition of the child as the subject of his or her own rights. In this connection, the Committee notes that this essential aspect of the Convention is not yet fully reflected in Icelandic law.

931. While the Committee notes that the Convention is not an integral part of the national legislation, it is concerned that gaps might exist in regard to the reflection of the Convention in national laws and regulations.

932. The Committee stresses the importance of the coordination of sectoral policies of the different governmental agencies and departments dealing with child issues. In view of the large autonomy of the local authorities in the field, among others, of child protection and welfare, the Committee also notes with concern the absence of a mechanism to coordinate the decisions taken and the activities undertaken in this field between the central and local authorities and between the local authorities themselves.

933. The Committee is particularly preoccupied about the disparities of the budget allocations in the field of child protection and welfare between different administrative regions, which may lead to discrimination between children living in different areas, for example in the field of education and after school-time care.

934. While noting the steps taken to disseminate the text of the Convention among students at all school levels, the Committee notes that the inclusion of human rights in general, and of children's rights in particular as a subject in schools and universities is still pending.

935. The lack of comprehensive and systematic training programmes for professionals working for and with children, such as teachers or social workers, or who are in contact with children, such as policemen, lawyers, magistrates or doctors, on children's rights and on the exercise of their rights, is also a matter of concern to the Committee.

936. The Committee notes that the best interest of the child to spend time in his/her family environment may be infringed by the long working hours of parents and that sufficient measures had not been taken to prevent children from being alone at home during their parents' working hours. In this connection, the insufficient availability of places in nursery schools is of concern.

(d) Suggestions and recommendations

937. The Committee wishes to encourage the State party to consider the possibility of withdrawing its declarations on the Convention and would like to be kept informed of developments on this matter.

938. The Committee recommends that steps be taken to have all the substantive provisions of the Convention reflected in national laws or regulations, so that the full protection of the rights enshrined in the Convention is ensured.

939. The Committee recommends that the State party establish a mechanism to enhance the coordination of governmental policies as well as those of central and local authorities in the field of children's rights, with a view to eliminating possible disparities or discrimination in the implementation of the Convention and ensuring that the Convention is fully respected in all parts of Iceland.

940. The Committee encourages the State party to pursue and further develop its policy aimed at disseminating information and at increasing awareness of the Convention. It also urges the authorities to integrate the Convention and children's rights into the training curricula of professional groups dealing with children and in the school and university curricula.

941. The Committee recommends that the budgetary allocations be ensured to the maximum extent of available resources in the light of article 4 of the Convention. In this connection, due attention should also be paid to articles 2 and 3 of the Convention, with a view to avoiding the risk of disparities in services for children in different parts of the country. The Committee also recommends that the State party consider strengthening international cooperation and assistance with a view to enhancing the promotion and protection of the rights of the child.

942. The Committee suggests that appropriate measures be taken to counter the inequalities between men and women with regard to remuneration, since it may be detrimental to the child, in particular in homes headed by single women.

943. The Committee recommends a further review of the procedures with regard to custody or to the separation of the child from his or her parents, in order to ensure that the best interests of the child are always a primary consideration.

944. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the report be made widely available to the public in Iceland and that publicity be given to its consideration by the Committee through the publication of the relevant summary records of the discussion and of the concluding observations of the Committee.

34. Concluding observations: Republic of Korea

945. The Committee considered the initial report of the Republic of Korea (CRC/C/8/Add.21) at its 266th to 268th meetings (CRC/C/SR.266-268), on 18 and 19 January 1996, and adopted, at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

946. The Committee expresses its appreciation to the State party for engaging, through a high-level and multidisciplinary delegation, in an open and fruitful dialogue with the Committee. It welcomes the written information submitted by the delegation in reply to the questions included in the list of issues, as well as the additional information provided by the State party following the dialogue held with the Committee.

(b) Positive factors

947. The Committee notes with satisfaction that the Convention on the Rights of the Child is directly applicable in the domestic legal order and can be invoked before the courts.

948. The Committee welcomes the development of a national plan of action for children and its incorporation in the seventh five-year socio-economic development plan for 1992-1996, as well as the recent establishment of the National Committee on the Rights of the Child.

949. The Committee notes with satisfaction the importance attached by the Government to education, considered as the "driving force of social and economic development".

950. The Committee also welcomes the openness, reflected in the written replies and reaffirmed by the delegation during the dialogue, towards considering the possibility of withdrawing the reservations entered by the State party to the Convention. The Committee is encouraged by the revision of the Civil Code that is being undertaken with the aim of incorporating the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis. It is also encouraged by the fact that, as stated by the delegation, such a measure will enable the State party to withdraw its reservation pertaining to article 9, paragraph 3, of the Convention.

(c) Factors and difficulties impeding the implementation of the Convention

951. The Committee notes the difficulties facing the Republic of Korea in the present period of political and economic transition. The efforts to secure rapid economic growth have not always been matched by an appropriate level of realization of economic, social and cultural rights, in particular in relation to children belonging to the most disadvantaged groups affected by growing poverty. The fact that the country has only recently emerged from a period of military rule has had a negative impact on the enjoyment of the fundamental rights and freedoms of children.

(d) Principal subjects of concern

952. The Committee is of the view that the reservations made by the State party to article 9, paragraph 3, article 21, paragraph (a) and article 40, paragraph 2 (b) (v) raise questions about their compatibility with the principles and provisions of the Convention, including the principles of the best interests of the child and respect for the views of the child.

953. The Committee is concerned at the insufficient measures adopted to ensure a permanent and effective coordinating and monitoring mechanism. The Committee also notes the insufficient measures taken to gather reliable quantitative and qualitative data on all areas covered by the Convention, to evaluate progress achieved and to assess the impact of policies adopted on children, in particular in relation to the most vulnerable groups of children.

954. The Committee is concerned about the insufficient measures taken to ensure that the principles and provisions of the Convention are widely known to children and adults. The lack of adequate training on the contents of the Convention of the various professional groups working with and for children,

including teachers, social workers, judges, law enforcement officials, psychologists and health personnel, is noted with regret.

955. As regards the implementation of article 4 of the Convention, the Committee notes with concern the inadequacy of measures taken to ensure the implementation of children's economic, social and cultural rights to the maximum extent of available resources. Insufficient attention has been paid in this regard to the areas of the social and human development of children and to the needs of the most vulnerable groups of children.

956. The Committee is also concerned that the basic principles of the Convention, in particular the provisions of its articles 2, 3 and 12, have not been adequately reflected in legislation, policies and programmes. Insufficient measures have been adopted to create awareness of these basic values of the Convention with a view to changing the prevailing consideration and treatment of the child simply "as a mini-adult or immature adult", as recognized in the report. The Committee notes with concern the persistent discriminatory attitudes affecting girls - including in relation to the minimum age for marriage - disabled children and children born out of wedlock.

957. The Committee notes with concern the insufficient assistance provided for families to assume their responsibilities in the protection of children's rights.

958. The Committee expresses its concern at the insufficient measures adopted, including of a legal nature, to ensure effective implementation of the civil rights and fundamental freedoms of children, such as in relation to the right to a nationality, freedom of expression, thought, conscience and religion, as well as to freedom of association and peaceful assembly. The threats to national security invoked by the Government have hampered the enjoyment of such fundamental freedoms.

959. The Committee is of the view that the approach of the State party in the field of adoption and the prevailing system of dissolution of adoption, raises questions as to its compatibility with the Convention, including in relation to the principle of the best interests of the child as the paramount consideration, as well as to the legal safeguards established by article 21. In this regard, the Committee is particularly concerned at the insufficient measures taken to ensure that adoption is authorized by the competent authorities, on the basis of all pertinent and reliable information and of the informed consent of all persons concerned, including the child. The high rate of intercountry adoption is also of concern to the Committee. With regard to child abuse and domestic violence, the Committee is concerned at the lack of preventive policies and of adequate reporting mechanisms. Abandonment of children, the high rate of child-headed families and the persistence of corporal punishment, widely envisaged by parents and teachers as an educational measure, are other subjects of concern to the Committee.

960. The Committee is concerned at the insufficient consideration given in the education system to the aims of education as reflected in article 29 of the Convention. The highly competitive nature of the education system risks hampering the development of the child to the fullest potential of his or her abilities and talents and the child's preparation for responsible life in a free society.

961. Concern is also expressed at the insufficient measures adopted, including in the field of legal reform, to prevent situations of child labour. In this

regard, the discrepancy between the age for completion of compulsory education and the minimum age for admission to employment is noted with particular concern.

962. The Committee is also concerned about the existing juvenile justice system and its lack of compatibility with the Convention, including articles 37, 39 and 40.

(e) Suggestions and recommendations

963. The Committee encourages the Government to continue to consider reviewing its reservations to article 9, paragraph 3, article 21, paragraph (a) and article 40, paragraph (b) (v), with a view to withdrawing them.

964. The Committee recommends that the Government strengthen its efforts aimed at promoting advocacy and creating awareness and understanding of the principles and provisions of the Convention in the light of its article 42. The Committee suggests that the Government develop public campaigns with a view to addressing effectively the problem of persisting discriminatory attitudes, in particular towards girls, disabled children and children born out of wedlock, and that it adopts proactive measures to improve the status and protection of these groups of children.

965. The Committee also encourages the State party to ensure training activities on the Convention to professional groups working with and for children, including teachers, social workers, judges, law enforcement officers, health personnel and officials entrusted with the task of ensuring data collection in the areas covered by the Convention. In the spirit of the United Nations Decade for Human Rights Education, the Committee further encourages the Government to give consideration to the incorporation of the rights of the child in the school curricula.

966. The Committee encourages the Government to pursue its efforts in order to ensure full compliance of its national legislation with the provisions and principles of the Convention, including non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12). The Committee particularly recommends that legislative measures be adopted with a view to ensuring an equal minimum age for marriage for girls and boys, in the light of article 2; ensuring the basic rights of all disabled children, in particular the right to education, in the light of article 23; abolishing any discrimination towards children born out of wedlock; preventing any risk of statelessness for a child born to a Republic of Korea mother; clearly prohibiting any form of corporal punishment; and raising the minimum age for employment with a view to adjusting it to the age of compulsory education. In the field of national and intercountry adoption, the Committee encourages the State party to undertake comprehensive legal reform to ensure full compatibility with the principles and provisions of the Convention, as well as to consider ratifying the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

967. The Committee recommends that a permanent and multidisciplinary mechanism be developed for coordination and monitoring of the implementation of the Convention, both at the national and local levels, in urban and rural areas. The Committee encourages the State party to give further consideration to the establishment of an ombudsperson for children or any equivalent independent complaint and monitoring mechanism. The Committee also encourages the promotion of a closer cooperation with non-governmental organizations.

968. The Committee also recommends that the system of data collection be improved and appropriate disaggregated indicators identified with a view to addressing all areas covered by the Convention and evaluating progress achieved, with due regard being paid to the situation of children belonging to the most disadvantaged groups.

969. The Committee strongly recommends that the Government of the Republic of Korea pay particular attention to the full implementation of article 4 of the Convention and undertake all appropriate measures to the maximum extent of available resources for the implementation of the economic, social and cultural rights of children. Special attention should be paid to the situation of the most disadvantaged groups of children in the light of the principles of non-discrimination and the best interests of the child.

970. The Committee considers that greater efforts should be made to promote the participation of children in family, school and social life, as well as the effective enjoyment of their fundamental freedoms, including the freedom of opinion, expression and association, which should be subject only to the restrictions provided by the law and are necessary in a democratic society.

971. The Committee encourages the State party to adopt further measures to ensure assistance for the family to ensure its responsibilities in the upbringing and development of the child, in particular in the light of articles 18 and 27 of the Convention. Special attention should be paid to the prevention of child abandonment, as well as to the prevention of, and appropriate assistance to, families headed by children.

972. In the area of child abuse and domestic violence, the Committee recommends that the State adopt further measures to prevent such situations and to protect and ensure appropriate physical recovery and social reintegration of children affected thereby. Consideration should be given to the establishment of a system of early detection, surveillance and referral.

973. The Committee encourages the State party to review its education policy with a view to reflecting fully the aims of education set out in article 29 of the Convention.

974. In the area of child labour, the Committee encourages the State party to adopt appropriate measures with a view to reflecting fully the Convention, in particular article 32, in its legislation and practice. It recommends that consideration be given to the ratification of ILO Convention No. 138 on minimum age for admission to employment and encourages the State party to consider pursuing such action in consultation with ILO.

975. The Committee recommends that the State party envisage undertaking a comprehensive reform of the system of juvenile justice in the spirit of the Convention, in particular articles 37, 39 and 40, and of other United Nations standards in this field, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Particular attention should be paid to the consideration of deprivation of liberty only as a measure of last resort and for the shortest period of time, to protection of the rights of children deprived of liberty, to due process of law and to the full independence and impartiality of the judiciary. Training programmes on the relevant international standards should be organized for all those professionals involved with the system of juvenile justice. The Committee would like to suggest that the Government of the Republic of Korea consider seeking international assistance in this area of the

administration of juvenile justice, from the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch.

976. The Committee recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country.

35. Concluding observations: Croatia

977. The Committee considered the initial report of Croatia (CRC/C/8/Add.19) at its 279th to 281st meetings (CRC/C/SR.279-281), on 23 and 24 January 1996, and adopted, at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

978. The Committee notes with appreciation that the difficult circumstances resulting from the war have not undermined the State's commitment to the protection and promotion of children's rights, as evidenced by the State's accession to the Convention on the Rights of the Child immediately following independence, the timely submission of the initial report due under the Convention and the frank and detailed answers provided, both in written and oral form, for the consideration of the report by the Committee. The Committee requests a progress report before the end of 1997.

(b) Positive factors

979. The Committee welcomes the statement by the delegation that the Government intends to withdraw its reservation to article 9 of the Convention.

980. The Committee takes note with satisfaction of the efforts to bring domestic law and practice into line with the principles and provisions of the Convention, including the enactment of legislation on the family and on the protection of children against all types of abuse.

981. The Committee welcomes the provisions contained in the new Constitution which accord to international human rights instruments ratified by the State a legal status superior to that of domestic legislation. It notes with appreciation the establishment of the special parliamentary Committee for Human Rights and the Rights of Ethnic and National Communities or Minorities, which monitors the application of international instruments and the relevant provisions of constitutional law dealing with human rights.

982. The Committee welcomes the willingness of the Government in the framework of article 4 of the Convention, to ensure cooperation with United Nations and other competent bodies, including the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia, UNHCR, UNICEF, UNESCO and ICRC in the fields of human rights and humanitarian assistance.

983. The Committee also welcomes the efforts pursued by the Government, in cooperation with non-governmental organizations, with a view to raising public awareness on the rights of the child. In this connection, the Committee welcomes the European Youth Campaign being undertaken under the auspices of the Council of Europe to combat racism, xenophobia, anti-Semitism and intolerance.

984. The Committee further welcomes the progress made in modifying the Law on Citizenship so as to eliminate risks of discrimination.

985. The Committee welcomes the intentions expressed by the Government to prosecute people who committed crimes against the civilian population, including children, during and after "Operation Storm" in August 1995 in the Krajina area and to provide safe conditions for returnees.

(c) Factors and difficulties affecting the implementation of the Convention

986. The Committee recognizes the serious difficulties faced by the State party in implementing the provisions of the Convention. It notes that the State party's transition to a market-oriented economy has had a serious impact on the population, in particular on all vulnerable groups, including children.

987. The Committee also notes the major problems experienced as a consequence of war, which has borne a severe impact on the population, including children, leading to heavy casualties, long-lasting physical, emotional and psychological effects, as well as the disruption of some basic services. It takes special note of an unknown number of children who have suffered the most fundamental violations of their right to life, and the existence of a large population of refugees and displaced persons, exceeding 500,000, who are being attended to by international aid.

(d) Principal subjects of concern

988. The Committee, while welcoming the existence of government bodies and the creation of new ones competent to deal with the welfare of children at the national and local levels, expresses concern that effective coordination must be established among them in order to develop a comprehensive approach to the implementation of the Convention.

989. The Committee is concerned at the absence of an integrated and systematic monitoring mechanism covering all areas covered by the Convention, and in relation to all groups of children, especially those affected by the consequences of the war and the economic transition.

990. The Committee is concerned about the impact on children of economic difficulties resulting from the transition to a market economy. It is particularly worried about the consequences of the privatization of some social services that might affect the most vulnerable groups of children. In this connection, it is particularly concerned as to whether appropriate measures have been taken to protect children in the light of article 4 of the Convention.

991. The Committee expresses concern about the Law on Temporary Possession, according to which property may be occupied by temporary settlers in the absence of the property owners. The Committee is concerned that families affected by this law will face problems if they should return before the present occupiers have found alternative shelter.

992. The Committee is concerned that a number of unaccompanied children who have lost contact with their families are in institutions or in foster care. The Committee further notes with concern that some foster homes might accept responsibility for the care of children solely for the economic compensation provided to them. It stresses that the consequences for the children living under such conditions are not conducive to their sound development.

993. The Committee expresses concern that children might be removed from their families because of their health status or the difficult economic situation faced by their parents.

994. The Committee notes with deep concern the apparent disregard for judicial decisions. It notes that allegations continue to be made about incidents in which members of minority groups, particularly of Serbian and Muslim origin, are harassed and the perpetrators left unpunished. The Committee draws attention to the adverse consequences for society as a whole and for the generation of children who witness this phenomenon of impunity.

(e) Suggestions and recommendations

995. The Committee recommends that the Government devote its full efforts to encouraging actively a culture of tolerance through all possible channels, including the schools, the media and the law. The schools should teach children to be tolerant and to live in harmony with persons from different backgrounds.

996. The Committee also recommends, in the interests of healing and trust-building within the country and in the spirit of article 17 of the Convention, that the State-controlled mass media should play an active role in the efforts to secure tolerance and understanding between different ethnic groups and that the broadcasting of programmes that would run counter to this objective come to an end.

997. The Committee recommends that the State party should take further steps, such as the establishment of a permanent structure to improve policy formulation and adopt measures for the promotion and protection of children's rights.

998. The Committee recommends that consideration be given to the establishment of a special independent monitoring structure, whether under the existing office of the ombudsman or as a separate body, and to that end recommends that a study be undertaken as soon as possible reviewing the experiences of other nations so that the most appropriate decision may be reached.

999. The Committee recommends that public information activities and other appropriate action be taken to make better known the principles and provisions of the Convention and other relevant international human rights instruments, including through their incorporation in school curricula with a view to enhancing democratic institutions, achieving national reconciliation, encouraging the protection of the rights of children belonging to minority groups and eliminating the atmosphere of impunity among those who harass these groups.

1000. In keeping with efforts to promote the process of national reconciliation and national dialogue, the Committee recommends that training programmes be organized for members of the army, police and judiciary on the provisions of the Convention.

1001. The Committee recommends that the system of foster care be carefully monitored in order to eliminate any possible acts of abuse against the children placed in such care.

1002. The Committee recommends that in the light of the best interests of the child and, when necessary, in the framework of international cooperation, the Government make special efforts to resolve the problem of property owners

returning to their homes before their occupiers have been able to find alternative shelter.

1003. The Committee recommends that a progress report be submitted by the end of 1997 for its consideration. It requests that the State include in that report information about subsequent developments in the areas of legal and judicial reform, of decisions to improve coordination of policies relating to children and of the monitoring of the implementation of the Convention. The progress should also cover the concerns expressed by the Committee.

1004. The Committee recommends that the report of the State party, the records of the dialogue held between itself and the State delegation and the concluding observations adopted by the Committee be widely disseminated throughout the nation in all minority languages as well as in Croatian. It recommends that a national debate be encouraged about the State party's compliance with the Convention within and among the Government, international organizations and national and non-governmental organizations and also among the public.

36. Concluding observations: Finland

1005. The Committee considered the initial report of Finland (CRC/C/8/Add.22) at its 282nd to 284th meetings (CRC/C/SR.282-284), on 23 and 24 January 1996, and adopted at its 287th meeting, on 26 January 1996, the following concluding observations.

(a) Introduction

1006. The Committee expresses its appreciation to the Government of Finland for the submission of its initial report, which has been prepared in conformity with the Committee's guidelines, and for the submission by the State party of written replies to its list of issues. It notes with satisfaction that the supplementary information provided by the delegation and its involvement in matters related to the Convention on the Rights of the Child made it possible to engage in a frank and constructive dialogue with the State party.

(b) Positive factors

1007. The Committee takes note with satisfaction that the Government provides a comprehensive social security system and a wide range of welfare services for the benefit of children and their parents, particularly free health care, free education, extended pregnancy leave rights and a large day-care system.

1008. The Committee welcomes the State party's submission to its Parliament of a national child policy report with the aim of protecting the rights of children living under the jurisdiction of the State party fully implementing the provisions of the Convention and by reducing to the maximum extent the impact on children of the current economic recession.

1009. The Committee notes the efforts by the Government in the field of law reform. It welcomes the amendment of the Constitution of Finland in 1995, which has since included human rights and children's rights fundamental principles. It welcomes the current discussions in Parliament concerning the future appointment of a children's rights ombudsperson. It also takes note of the current efforts to reform the Finnish Penal Code. Finally, it welcomes the recent government study on the impact of environmental issues on the life of children and the related measures undertaken.

1010. The Committee also welcomes the Government's submission for ratification to the Finnish Parliament of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993.

1011. The Committee notes the long-standing efforts made by the State party in the field of international cooperation, although the Government, owing to the economic recession, has since 1990 temporarily reduced its budget allocation to development aid.

1012. Finally, the Committee takes note of the State party's wish to circulate in Parliament the summary records of the dialogue with the Committee members and the concluding observations of the Committee.

(c) Factors and difficulties impeding the implementation of the Convention

1013. The Committee notes the difficulties facing Finland in the present period of structural change and economic recession. Decentralization and privatization policies, severe unemployment and State budgetary cuts have undoubtedly affected Finnish children, particularly the most vulnerable groups.

(d) Principal subjects of concern

1014. The Committee is worried about the impact on children of the difficult economic situation prevailing in the country, which have resulted in budgetary cuts, and the existing trends towards decentralization and privatization. In this connection, it is particularly concerned as to whether appropriate measures have been taken to protect children, particularly those belonging to the most vulnerable groups, in the light of articles 3 and 4 of the Convention.

1015. The Committee is concerned at the insufficient attention paid to the need for an efficient coordination mechanism, between various ministries, as well as between central authorities and local authorities (municipalities), in the implementation of comprehensive policies for the promotion and protection of the rights of the child.

1016. The Committee is concerned at the absence of an integrated monitoring mechanism capable, inter alia, of supervising the effectiveness of decentralized and sometimes privatized social (health, education and social care) municipal policies and services for the most vulnerable groups of society, particularly single parents and poor families and disabled, refugees and minority children.

1017. The Committee expresses its concern that the State party has not yet fully taken into account in its legislation and in its policies the general principles of the Convention, in particular non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12).

1018. The Committee is concerned about the absence of a global information and dissemination strategy for the Convention in the country. It is also worried that the Convention does not yet exist in all languages spoken by minorities residing in the country.

1019. In the light of articles 2 and 3 of the Convention, the Committee is worried about the increasing negative attitude in the society towards foreigners.

1020. The Committee is worried by the State party's current shortage of facilities for the psychiatric treatment of children. This shortage may result

in the non-separation of children from adults in psychiatric establishments. It is also concerned by the high rates of suicide and the increasing rates of drug abuse among youth.

1021. The Committee is concerned about the need to improve the training of social workers through retraining programmes, in particular in relation to the full implementation of the participatory rights of the child, in the light of articles 3 and 12 of the Convention. It is worried by the insufficient detection and prevention measures in the areas of sexual abuse and domestic violence.

1022. The Committee is concerned at the recent increase of school drop-outs. In the light of article 30 of the Convention, it is also worried about the insufficient number of teachers capable of working with minority children.

1023. The Committee is deeply concerned that appropriate, in particular legislative, measures have not yet been taken to forbid the possession of child pornography and the purchasing of sexual services from child prostitutes. It is also seriously concerned at the existence of sex telephone services accessible by children.

1024. The Committee is concerned that the labour legislation does not appropriately protect children between the ages of 15 and 18 years.

(e) Suggestions and recommendations

1025. With respect to article 4 of the Convention, and in relation to the current difficult economic situation, the Committee emphasizes the importance of the allocation of resources to the maximum extent possible for the implementation of economic, social and cultural rights of the child at both the central and local levels, in the light of the principles of the Convention, in particular those of its articles 2 and 3 relating to non-discrimination and the best interests of the child.

1026. The Committee recommends that the State party take further steps to strengthen the coordination between the different governmental mechanisms involved in human rights and children's rights, at both the central and local levels, and to consider the establishment of a coordinating body or mechanism to harmonize sectoral activities and policies. It also recommends that the State party strengthen its cooperation with non-governmental organizations, including in relation to the implementation of the Committee's recommendations.

1027. The Committee recommends that an integrated monitoring system or mechanism be established to ensure that all children in all municipalities benefit to the same extent from basic social services. The establishment of an independent monitoring mechanism, such as, for instance, an ombudsperson for children, is also recommended.

1028. The Committee is of the opinion that greater efforts are required to make the provisions and principles of the Convention widely known and understood by adults and children alike, in the light of article 42 of the Convention. The Committee recommends that the Convention be translated into all languages spoken by minorities living in the State party. The Committee wishes to encourage the State party to develop further a systematic approach towards increasing public awareness of participatory rights of children, in the light of article 12 of the Convention.

1029. To reduce the current increase in negative feeling and racism towards foreigners, the Committee recommends that the State party take all necessary measures, including information campaigns in schools and society at large. Upon arrival in Finland, all unaccompanied children seeking refugee status should be promptly informed in their language of their rights.

1030. The Committee recommends that periodic training and retraining programmes on the rights of the child be organized for professional groups working with or for children, especially social workers, but also teachers, law enforcement officials and judges, and that human rights and children's rights be included in their training curricula. It also recommends that in the areas of sexual abuse and domestic violence more systematic attention be given to detection measures and preventive policies.

1031. The Committee recommends the State party take all appropriate measures to prevent mentally ill children being institutionalized in the same facilities as adults. It also suggests that additional research be undertaken in the areas of suicide and drug abuse to improve the understanding of those phenomena and generate appropriate measures to deal efficiently with them.

1032. The Committee encourages the State party to take all necessary measures to fight school drop-out and encourages the relevant authorities to take all appropriate measures to ensure that sufficient teachers are available for minority children in all regions of the country. In the spirit of the United Nations Decade for Human Rights Education, the Committee also encourages the Government to give consideration to the incorporation of the rights of the child in the school curricula.

1033. In the process of reforming the Penal Code, the Committee strongly recommends that the possession of child pornography materials and the purchase of sexual services from child prostitutes be made illegal. It also recommends that the State party take all appropriate measures to protect children from accessing sex telephone services and from the risk of being sexually exploited by paedophiles through these telephone services that can be accessed by anyone. Finally, the Committee recommends that measures be taken fully to protect professionals who report evidence of sexual abuse to the relevant authorities.

1034. The Committee encourages the State party to revise its labour legislation for children between the ages of 15 and 18 years in the light of the relevant international standards, especially ILO Convention No. 138 and ILO Recommendation No. 146.

1035. The Committee encourages the State party to disseminate widely the State party's report, the summary records of the discussion of the report in the Committee and the concluding observations adopted by the Committee following its consideration of the report. The Committee would like to suggest that these documents be brought to the attention of Parliament and that the suggestions and recommendations for action contained therein be followed up in close cooperation with the non-governmental society.

IV. OVERVIEW OF THE OTHER ACTIVITIES OF THE COMMITTEE

A. Methods of work

1. Informal meeting

1036. The informal meeting of the Committee on the Rights of the Child for the African region was held from 11 to 22 July 1994.

1037. To enable a better coverage of the region, it had been decided that the Committee members would start the trip in Kenya, afterwards dividing into two groups, one to visit Ghana and Mali and the other to travel to Zimbabwe and South Africa. The Committee would then meet again as a group in Côte d'Ivoire, in order to exchange information on the field trips and consider recommendations for its future informal meetings.

1038. In the different countries, the Committee members held important meetings with government officials, members of Parliament, representatives of United Nations bodies, specialized agencies, national institutions in the field of human and children's rights and active non-governmental organizations. On several occasions the media were involved, paving the way for a public discussion on the Convention on the Rights of the Child and the situation of children at the national and international levels.

1039. During the regional meeting and country visits, the Committee encouraged ratification of the Convention by those States that were not yet parties to it, and called for its effective implementation and full respect for its principles and provisions. The Committee emphasized the essential value of the reporting system, in ensuring, in a comprehensive and meaningful manner, the review and evaluation of the different measures taken by each country to ensure a shared awareness of the situation of children and the effective realization of the rights of the child. The members of the Committee stressed the importance of the coordination of activities between all those involved in areas relating to children, in both the governmental and non-governmental areas, as a means to gather relevant information, shape adequate and consistent policies and monitor progress.

1040. The regional Africa meeting, and in particular the constitution of subgroups of the Committee to visit different countries and projects on the region, was considered as an extremely rich experience. The Committee, therefore, reaffirmed that it would be decisively important to continue to organize such informal regional meetings, in close cooperation with UNICEF and other United Nations bodies. Such occasions would greatly contribute to the universal ratification of the Convention and to its serious consideration and effective implementation. They would also help to make better known both the system of reporting under the Convention and the role the Committee plays in that regard (see also chap. I, sect. A, recommendation 2).

1041. The Committee held its fourth informal meeting for two weeks in October in the South Asia region.

1042. The fourth informal meeting was also intended to allow for a substantive consideration of the subject of child labour in the specific context of the region and in the light of the strategies identified to address the problem. For that purpose, a thematic regional consultation thereon was included in the agenda of the meeting.

1043. The Committee members, in different groups, visited India, Pakistan, Bangladesh, Nepal and Sri Lanka with the three main goals of explaining the reporting system and encouraging the finalization of the national process in that regard; becoming familiar with the existing situation, prevailing difficulties and relevant achievements in each country; and in the case of Pakistan and Sri Lanka assessing the consideration given to the recommendations it had addressed in its concluding observations to the respective Governments.

1044. The regional thematic consultation held at Kathmandu provided the opportunity for the Committee members to exchange views on their different visits and to identify the specific strategies followed in the countries concerned to prevent and combat the exploitation of children through work, to ensure the effective protection of children's rights and to abolish child labour.

1045. The thematic debate on the economic exploitation of children and the set of recommendations the Committee adopted thereafter were of crucial importance for the programmes of ILO and of non-governmental organizations in that area.

1046. In the debate the importance was stressed of taking the Convention as a basis for the consideration of policies designed to address child labour, due respect being paid to the general principles of non-discrimination, respect for the views of the child, survival and development of the child and the best interests of the child as primary considerations in all measures adopted. In situations where, in the light of the Convention, in particular its article 32, and ILO standards, legal work was performed, providing for minimum ages for admission to employment and for appropriate regulation of the hours and conditions of employment was of decisive importance.

1047. The abolition of child labour was identified as an essential and urgent goal and the need recognized for specific national strategies to be defined to achieve it. In that regard, compulsory education was identified as an essential tool. It was also stressed that each national strategy should address all forms of labour, in both the formal and informal sectors, and that less visible situations, such as domestic service, should not be neglected. In addition, the strengthening of international cooperation, in particular between UNICEF and ILO, was encouraged as a means of fostering the realization of children's rights in that important field.

2. System of documentation and information

Computerization of the work of the Committee

1048. In view of the importance the Committee attaches to the establishment of a network of information and documentation in the field of children's rights, as well as to the computerization of its work, a meeting was held on this issue with representatives of UNICEF and of the Centre for Human Rights at the Committee's eleventh session.

B. Public information activities and education
on children's rights

1049. At its eight session, the Committee recalled the importance it attached to the area of education on human rights in general, and on children's rights in particular, as reflected in its second report to the General Assembly. 8/ In this framework, it welcomed the launching by the General Assembly of the United Nations Decade for Human Rights Education (resolution 49/184). It was timely that the Decade should start in the International Year of Tolerance, a year during which the United Nations would celebrate its fiftieth anniversary.

1050. It took note of the comprehensive approach followed by the Plan of Action of the Decade, which defined human rights education as a life-long process based on training, dissemination and information efforts designed to build a universal culture of human rights. It was particularly encouraged by the recognition of the essential role of the treaty bodies in formulating appropriate recommendations to States in this regard. It further stressed the importance given to cooperation between relevant United Nations bodies with a view to better mobilizing existing capacities for human rights education, under the coordination of the United Nations High Commissioner for Human Rights.

1051. The Committee decided to pursue its efforts in encouraging States parties to give consideration to the inclusion of the Convention on the Rights of the Child in the school and training curricula, as well as in the framework of non-formal education.

C. International cooperation and solidarity for the
implementation of the Convention

1. Plan of action of the United Nations High Commissioner
for Human Rights to strengthen the implementation of
the Convention

1052. The United Nations High Commissioner for Human Rights has stressed on various occasions the importance he attaches to promoting the rights of the child, which should be seen as a priority in the United Nations system-wide action on human rights.

1053. In this connection, he has elaborated and submitted to Governments for funding a plan of action to support the implementation of the Convention on the Rights of the Child. Such a plan would enable the Committee to receive substantive support in order to meet the high expectations created by the Convention and its implementation system and to face the heavy workload. It would facilitate the practical realization of the recommendations of the Committee aiming at a better implementation of the Convention at the national level within the framework of international cooperation, through the provision of advisory services and technical assistance.

8/ Official Records of the General Assembly, Forty-ninth Session,
Supplement No. 41 (A/49/41), paras. 425-445.

2. Cooperation with United Nations and other competent bodies

1054. At its sixth (special session), the Committee adopted two recommendations respectively entitled "Children in armed conflicts" and "Sale of children, child prostitution and child pornography" (see chap. I above, sect. C.1, recommendation 2, and sect. C.2, recommendation 3).

1055. At its seventh session, the Committee decided to hold a meeting in January 1995 with United Nations bodies and specialized agencies to evaluate progress in the area of international cooperation, as well as to consider ways to strengthen dialogue and interaction and enhance the system of implementation of the Convention, namely in the light of its article 45. Representatives from UNICEF, UNHCR, ILO and WHO participated in the discussion.

1056. It was recognized that the spirit of cooperation and partnership built around the Convention had been reinforced, both in the framework of the reporting system and of the thematic discussions organized by the Committee which provided an opportunity to mutually support the action developed by the Committee and each of the United Nations bodies for the promotion and protection of the rights of the child. The Convention was in fact recognized as being complementary to the work and to the standards of the United Nations bodies and agencies, allowing them to act in a human rights framework.

1057. It was recalled that the success of the reporting process was essentially assessed by its capacity to improve the situation at the country level, encourage progress and strengthen the national capacity to assess problems and shape adequate strategies to solve them. United Nations bodies and agencies played an important role in this regard.

1058. The adoption of concluding observations following the consideration of the State party's report was felt to be extremely useful as it allowed for a reassessment of the country programmes, technical assistance projects and even advocacy campaigns. When the concluding observations addressed a specific problem that fell within the competence of a particular body, the approach of that body was given legitimacy and was reinforced. That was also the case when the Committee encouraged a State party to consider ratifying a particular convention adopted within the framework of a United Nations organ or a specialized agency.

1059. Recalling the importance it attached to international cooperation with a view to fostering the realization of the rights of the child, the Committee decided at its eighth session to hold during the session a meeting with United Nations bodies and specialized agencies, as well as other competent bodies.

1060. Representatives from ILO, UNICEF, WHO, UNHCR, UNESCO and the Centre for Human Rights (Advisory Services, Technical Assistance and Information Branch), as well as the International Criminal Police Organization (INTERPOL) and non-governmental organizations, participated in the discussion.

1061. For this important exchange of views, a working document had been prepared by Mr. Thomas Hammarberg (Vice-chairperson) on goals and strategies for the work of the Committee for the next four years of its activities. In the light of the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights, the document identified six essential goals: universal ratification of the Convention by 1995, withdrawal of reservations made by States parties upon ratification, submission of timely and constructive reports,

effective international monitoring, support to the national process and international cooperation.

1062. The Committee, recalling its previous consideration of these areas as well as its earlier deliberations, emphasized the important field of international cooperation, in particular as addressed by articles 4 and 45 of the Convention. It recalled the attention paid by this legal instrument to the building up of a spirit of solidarity, which should be reflected and taken into account, including in the activities of the international financial and development institutions as well as in the action developed by donor countries.

1063. Moreover, the Committee stressed the essential importance of the national process of implementation, recognizing its crucial role to encourage the ratification of the Convention, to create awareness and understanding of its principles and provisions, to ensure a comprehensive law reform and to establish mechanisms of coordination and monitoring on the basis of a comprehensive system of data collection. The national process was also clearly of decisive relevance in the preparation of the country report on the implementation of the Convention and to ensure an effective follow-up to the concluding observations adopted by the Committee once the report had been examined. In that regard, reference was made to the World Conference on Human Rights and to the emphasis put in its final document on the "comprehensive national approach taken by the Committee on the Rights of the Child". The encouragement to follow that approach clearly confirmed the importance of integrating the Convention into national action plans, and to pave the way for a holistic approach to the rights of the child and for the consideration of multidisciplinary action in favour of children.

1064. The Committee decided to institutionalize those meetings on at least an annual basis, thus allowing for a periodic evaluation of progress achieved and difficulties encountered. It reiterated its recommendation that a focal point on the Convention be established within each United Nations body or specialized agency to enhance the existing coordination. It welcomed the decision taken by some United Nations bodies to send their regional or national representatives to follow the preparation and/or the discussion of the report of the country concerned. Such a measure would undoubtedly ensure their active involvement in the implementation of the recommendations adopted by the Committee.

1065. In relation to the programme of advisory services and technical assistance, the Committee recognized the importance of ensuring a closer cooperation with the Advisory Services, Technical Assistance and Information Branch of the Centre for Human Rights.

1066. At its sixth (special) session, the Committee adopted a recommendation entitled "Cooperation with United Nations bodies - Children in armed conflicts" (see chap. 1, sect. C.1, recommendation 2) in which it welcomed the decision of the Commission on Human Rights to establish as a matter of priority an open-ended working group to elaborate a draft optional protocol to the Convention on children in armed conflict and to use as a basis for its discussions the preliminary draft submitted by the Committee. In another recommendation adopted at the same session, entitled "Sale of children, child prostitution and child pornography" (see chap. 1, sect. C.2, recommendation 3) the Committee took note of the decision of the Commission on Human Rights to establish an open-ended working group responsible for elaborating, as a matter of priority, in close cooperation with the Special Rapporteur and the Committee, guidelines for a possible draft optional protocol to the Convention on the Sale of Children, Child Prostitution and Child Pornography, as well as the basic measures needed for their prevention and eradication.

1067. At its eighth session, the Committee considered the developments that had occurred in the two working groups of the Commission on Human Rights dealing with children's rights issues. It took note of the drafting process in the working group on a draft optional protocol on the involvement of children in armed conflicts, whose work was based on a preliminary draft prepared by the Committee, following a specific request by the World Conference on Human Rights in that regard. ^{9/} It also took note of the discussions held in the working group on guidelines for a possible optional protocol on the sale of children, child prostitution and child pornography.

1068. At its eleventh session, the Committee decided to participate in the second session of the inter-sessional open-ended working group of the Commission on Human Rights on a draft optional protocol on involvement of children in armed conflict, during which a statement stressing the urgency of raising to 18 years the minimum age of recruitment into armed forces and forbidding the participation of children in hostilities below that age was presented on behalf of the Committee by its Rapporteur (for the text of the statement, see CRC/C/50, para. 251). At the same session, the Committee also decided to be represented at the second session of the open-ended working group of the Commission on guidelines for a possible optional protocol on the sale of children, child prostitution and child pornography. The Committee decided to submit a statement to the working group, expressing its views on the guidelines and stressing the importance of taking into due account existing international standards, in particular the Convention, and relevant mechanisms to prevent and combat the sale of children, child prostitution and child pornography (for the text of the statement, see CRC/C/50, para. 254).

1069. During the period covered by the present report, the Committee pursued its cooperation with the other human rights treaty bodies and other United Nations human rights mechanisms. In this connection, mention can be made of the active participation of the Committee's Chairperson in the fifth and sixth meetings of persons chairing the human rights treaty bodies as well as in the meeting held in June 1995 between the Secretary-General and the chairpersons (see CRC/C/34, para. 173, and CRC/C/46, para. 197). The Committee also had a fruitful exchange of views and cooperation with the United Nations expert on the impact of armed conflict on children (see CRC/C/34, paras. 176-178, CRC/C/43, paras. 181-185 and CRC/C/46, para. 199), the Special Rapporteurs of the Commission on Human Rights on the sale of children, child prostitution and child pornography (see CRC/C/43, paras. 192-196) and on the situation of human rights in the territory of former Yugoslavia (see CRC/C/29, para. 186), and initiated a dialogue with the Special Rapporteur of the Commission on Human Rights on Rwanda (see CRC/C/43, paras. 186-191).

1070. The Committee also pursued its close cooperation with other competent bodies, and reaffirmed the fundamental role of non-governmental organizations (see CRC/C/38, paras. 260-265).

3. Participation in United Nations meetings

1071. The Committee was represented at a number of meetings relevant to its activities, including major world gatherings such as the International Conference on Population and Development, held at Cairo in September 1994 (see CRC/C/29, para. 185); the Fourth World Conference on Women, held at Beijing in August 1995 and its preparatory process (see CRC/C/38, para. 246, CRC/C/43,

^{9/} Ibid., paras. 554-559.

paras. 179 and 180 and CRC/C/46, para. 198; see also sect. D below); and the preparatory process of the Second United Nations Conference on Human Settlements (Habitat II), to which it also decided to be represented in June 1996 (see CRC/C/50, paras. 255-258). The participation and contribution of the Committee to those meetings and their final documents, as well as its consideration of the issues raised at the World Summit for Social Development (Copenhagen, March 1995) (see CRC/C/34, para. 174, and CRC/C/46, para. 196), had enabled the Committee to be alerted to areas of concern identified elsewhere and to play an increasing role in international cooperation on behalf of children.

1072. The Committee has also been actively involved in the preparatory process of the World Congress against the Commercial Sexual Exploitation of Children, to be held at Stockholm in August 1996, to which it will be represented (see CRC/C/50, paras. 262 and 263).

1073. In the field of juvenile justice, the Committee reported at its eighth session on two important events to which it had been represented - the United Nations expert group meeting on children and juveniles in detention: application of human rights standards, held at Vienna (30 October-4 November 1994), and the Asian Regional Consultation on Juvenile Justice, organized at Bangkok in cooperation with UNICEF and ASIANET. (For further details on these two meetings, see CRC/C/38, paras. 249-252).

4. Programme of technical cooperation and advisory services

1074. At its seventh session, the Committee adopted a recommendation entitled "Advisory services and technical assistance", in which it, inter alia, decided to continue to identify the main areas where technical advice or assistance would seem appropriate to foster the implementation of the Convention and to indicate them in its observations adopted following the consideration of States parties' reports, and to bring recommendations in this regard to the consideration of the concerned bodies (see chap. I, sect. D, recommendation 3).

1075. At its eighth session, the Committee stated that the adoption of concluding observations following the consideration of the State party's report was extremely useful as it allowed for a reassessment of the country programmes, technical assistance projects and even advocacy campaigns. When the concluding observations addressed a specific problem that fell within the competence of a particular body, the approach of that body was given legitimacy and was reinforced. That was also the case when the Committee encouraged a State party to consider ratifying a particular convention adopted within the framework of a United Nations organ or a specialized agency.

D. General thematic discussions

1. The role of the family in the promotion of the rights of the child

1076. In view of the importance it attaches to the enhancement of a deeper understanding of the Convention on the Rights of the Child, and taking into account the fact that 1994 had been proclaimed as the International Year of the Family, the Committee had decided to devote one day of its seventh session to a general discussion on the role of the family in the promotion of the rights of the child.

1077. Several organizations had submitted documents on the theme. The list of these documents is to be found in annex VI to document CRC/C/34.

1078. Representatives of various organizations and bodies made statements on the day of the general discussion. The list is to be found in document CRC/C/34, paragraph 185.

1079. The general discussion was framed by the outline which had been prepared by the Committee. Two main issues were addressed: the evolution and importance of the family, stressing the diversity of family structures arising from different cultural patterns and emerging family relationships, and civil rights and freedoms within the family, including the right to be registered with a name, to a nationality, to preserve the child's identity and not to be subjected to any form of mental or physical violence.

1080. Participants emphasized some of these issues, calling attention to the positive role the Convention had played in promoting the consideration of the rights of the child, the rights and responsibilities of parents and other family members and the need to tackle situations in which the human dignity of the child might not be fully respected. Representatives of United Nations bodies and specialized agencies stressed the essential value of the Convention as a framework for shaping and implementing their respective programmes designed to improve the situation of the family and to promote the protection of the rights of its members.

1081. At the conclusion of the general discussion, the Committee reached some preliminary conclusions, which are summarized below.

What is the family?

1082. On the basis of the different interventions, it would seem hard to argue for a single notion of the family. Through the influence of economic and social factors and of the prevailing political, cultural or religious traditions, the family has been shaped in a diversity of ways and naturally faces different challenges or living conditions. Would it therefore be acceptable to consider that only some kinds of family or family situations deserve assistance and support from the State and society i.e., nuclear, extended, biological, adoptive or single-parent families? Could it be considered that only in certain circumstances would the family or family life have decisive social value? On the basis of what criteria: legal, political, religious or other? Would it be possible to favour a perspective where only under certain conditions would children be given the opportunity to enjoy rights that, in fact, are inherent to the dignity of their human nature?

1083. All these questions seem to place the essential value of the principle of non-discrimination in the forefront of the general discussion.

What is the child within the family?

1084. Traditionally, the child has been seen as a dependent, invisible and passive family member. Only recently has he or she become "seen" and, furthermore, the movement is growing to give him or her the space to be heard and respected. Dialogue, negotiation, participation have come to the forefront of common action for children.

1085. The family becomes in turn the ideal framework for the first stage of the democratic experience for each and all of its individual members, including

children. Is this only a dream or should it also be envisaged as a precise and challenging task?

1086. It is well known that much remains to be done. In view of the external circumstances surrounding the family and the tensions arising therein, be they economic, social or cultural, situations still often occur in which the child is supposed to work for and with the family, the girl is expected to take care of her siblings and replace the mother in all the tasks of the household, encouraged at an early stage to prepare for her "role" as a mother, etc. Children are often abused and neglected and their right to physical integrity ignored, on the assumption that the privacy of the family automatically confers on parents the ability to make correct and informed judgements with respect to the "responsible upbringing of future citizens".

1087. The hope was expressed that, by adhering to the essential principle of the best interests of the child and making use of active campaigns of awareness, information and education, it will be possible to change prevailing prejudices and cultural or religious traditions which are contrary to the dignity of the child, detrimental to the child's harmonious development or prevent the effective enjoyment of the fundamental rights by children.

What is the child in the absence of a family?

1088. The discussion also addressed the "usually forgotten" question of what is the reality of a child, in the absence of a family? In such cases, would the system of protection be improved? Would the best interests of the child ever be assessed? Would there be any room for the participation of the child? Would there be anyone to listen? Would it be possible to prevent and combat discrimination? In short, would it ever be possible to address seriously the situation of these children within the framework of fundamental human rights and freedoms?

1089. All these questions are a natural encouragement to further elaboration, to further studies and discussions and to concrete programmes and strategies both at the national level and within the framework of international cooperation. For all of them, the Convention was reaffirmed as the common reference and the inspiring document. The Convention is, furthermore, the most appropriate framework in which to consider, and to ensure respect for, the fundamental rights of all family members, in their individuality.

1090. Children's rights will gain autonomy, but they will be especially meaningful in the context of the rights of parents and other members of the family - to be recognized, to be respected, to be promoted. And this will be the only way to promote the status of, and the respect for, the family itself.

1091. The Committee expressed the hope that the debate may have played a catalysing role in the future consideration and action in this important issue.

1092. The follow-up to be ensured in the future, both by the Committee and all other partners, in the implementation of the Convention will contribute to further developing the important conclusions of this general thematic discussion.

2. The girl child

1093. At its seventh session, the Committee decided to organize a general discussion on the girl child on 23 January 1995. The decision was intended to allow the Committee to contribute to the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in September 1995 in Beijing, as well as to allow the conclusions of its thematic discussion to be reflected in the platform for action to be adopted by the Conference. It was also an opportunity for the Committee to create a wider awareness of the situation and human rights of girls, a situation which had deservedly received special attention, both in examining State party reports and in the context of previous thematic discussions. This had particularly been the case during the general discussion on economic exploitation of children (CRC/C/20) and the discussion held during the International Year of the Family (CRC/C/34).

1094. The Chairperson had prepared an outline identifying areas to be addressed during the thematic day, emphasizing the principle of non-discrimination and the need for the girl child to enjoy all her fundamental rights, including the right to make free and informed choices concerning her life. The outline had been sent to relevant United Nations bodies, specialized agencies, non-governmental organizations and other competent bodies with an invitation to participate in the general discussion and to submit written contributions in advance, to be used as background material for the discussion.

1095. Representatives of various organizations and bodies participated in the general discussion (see CRC/C/38, para. 277).

1096. During the discussion, it was stressed that in view of the fact that the Convention was the most widely ratified international instrument in the field of human rights, with 168 States parties as at January 1995, it was undoubtedly also the most widely accepted framework for action in favour of the fundamental rights of girls. There was an undeniable commitment on the part of the international community to use the provisions of Convention as an agenda for action to identify persisting forms of inequality and discrimination against the girl child, to abolish practices and traditions detrimental to the enjoyment of their rights and to define a real forward-looking strategy to promote and protect those rights. This explained the essential importance of reflecting the Convention in the platform for action to be adopted by the Conference at Beijing.

1097. The Committee had a crucial role to play when monitoring progress made by States parties in the realization of the rights recognized by the Convention, when promoting respect for and protection of those rights, and when combating all forms of discrimination, including on the basis of gender. The Committee should be clearly identified as one of the fundamental international institutions designated to implement the platform for action to be adopted by the Beijing Conference.

1098. The activities developed by the Committee coincided with increasing awareness and action in favour of women's and children's rights at the international, regional and national levels. The importance of this movement was highlighted by the organization of the Conference in 1995, the year of the fiftieth anniversary of the United Nations. Thus, women and girls were undeniably in the front line of the priorities of the Organization.

1099. Such an assessment was confirmed by the final document of the World Conference on Human Rights, which recognized that the human rights of women and

of the girl child were an inalienable, integral and indivisible part of universal human rights; that they should form an integral part of the United Nations human rights activities and be regularly and systematically addressed. Furthermore, the eradication of all forms of discrimination on the grounds of sex were priority objectives of the international community.

1100. Yet, despite being recognized as a priority, the place in society of girls, and women in general, raised serious and unresolved questions of inequality and indifference, manifested by discrimination, neglect, exploitation and violence. It was important to recognize the complementary and mutually reinforcing nature of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.

1101. Addressing the questions of inequality and discrimination on the basis of gender did not imply that they had to be seen in a complete isolation, as if girls were a special group entitled to special rights. In fact, girls were simply human beings who should be seen as individuals and not just as daughters, sisters, wives or mothers, and who should fully enjoy the fundamental rights inherent to their human dignity. The rights of the girl should in no way be ignored or neglected, but rather promoted and protected.

1102. Within the larger movement for the realization of women's rights, history had clearly shown that it was essential to focus on the girl child in order to break down the cycle of harmful traditions and prejudices against women. Only through a comprehensive strategy to promote and protect the rights of girls, starting with the younger generation, would it be possible to build a shared and lasting approach and a wide movement of advocacy and awareness aimed at promoting the self-esteem of women and allowing for the acquisition of skills that would prepare them to participate actively in decisions and activities affecting them. Such an approach must be based on the recognition of human rights as a universal and unquestionable reality, free from gender bias.

1103. There was a need to ensure that a woman's life cycle would not become a vicious cycle, where the evolution from childhood to adulthood would be blighted by fatalism and a sense of inferiority. Only through the active involvement of girls, who were at the root of the life cycle, would it be possible to initiate a movement for change and betterment. In fact, if the platform for action was to be an agenda for change and advancement of women, it could only be meaningful if it placed the human rights of girls at its core.

1104. Mention was made of the State party reports submitted to the Committee and to the full picture they provided of the situation of girls around the world. Several States had identified persistent traditions and prejudices as a main difficulty affecting the enjoyment of girls' fundamental rights. Discrimination often arose from the way roles were traditionally distributed within the family. Girls often shared the responsibilities of the household, taking care of younger siblings and refused access to education and participation in social life. The son preference, historically rooted in the patriarchal system, often manifested itself by neglect, less food and little health care. Such a situation of inferiority often favoured violence and sexual abuse within the family, as well as problems associated with early pregnancy and marriage. In some cases it had led to such traditional practices as female circumcision and forced marriage.

1105. Reports had also indicated that the situation of the girl was of particular concern in rural or remote areas under the strong influence of community and religious leaders and aggravated by the persistence of harmful traditions and beliefs.

1106. While seriously concerned at the persistence and extent of gender discrimination, the Committee was encouraged by the fact that States parties often had sought the advice of the Committee and, through it, the assistance of the international community to address discrimination, neglect and abuse. The Committee had therefore had the opportunity to recommend, in its concluding observations, that a comprehensive strategy be formulated and effectively implemented to create awareness and understanding of the principles and provisions of the Convention; launch educational programmes to eradicate all forms of discrimination against the girl child; and encourage the participation of all segments of society, including non-governmental organizations. In that connection, the Committee had further suggested that customary, religious and community leaders might be systematically involved in the steps undertaken to overcome the negative influences of traditions and customs.

1107. Education was of essential importance. It allowed for the harmonious and informed development of children, and gave them the necessary confidence and skills to make free choices in their lives and to act in a context of gender partnership - both at the professional and at the family level. However, the level of illiteracy among girls was still extremely high and it had become urgent to ensure their effective access to the educational and vocational system, to enhance their rate of school attendance and to reduce the drop-out rate.

1108. Attention was also paid to the need to eliminate stereotypes in educational materials and train all those involved with the educational system in the Convention and the fundamental rights of children. It was pointed out that the recent launching by the General Assembly of the United Nations Decade for Human Rights Education provided a timely opportunity to use the Convention as a meaningful educational tool to enhance the promotion and protection of the rights of girls and to eradicate gender discrimination. Its incorporation in the school and training curricula should also be considered as an important step to ensure the implementation of the platform for action.

1109. Reference was also made to the importance of eradicating degrading and exploitative images of girls and women in the media and advertising. The values and models of behaviour that were portrayed contributed to the perpetuation of inequality and inferiority.

1110. The interventions made during the discussion, along with the experience gained by the Committee through its examination of State party reports, showed that discrimination against girls was often also reflected in the legislative solutions adopted by States. Although the eradication of prevailing mental and social attitudes would mainly be achieved through advocacy, information and education, legislation would play a decisive role. In fact, legislative measures sent a formal message that traditions and customs contrary to the rights of the child would no longer be accepted, would create a meaningful deterrent and would clearly contribute to changing attitudes.

1111. The Committee had often recommended, in the light of article 2 of the Convention, that national legislation of States parties should clearly recognize the principle of equality before the law and forbid gender discrimination, while providing for effective protection and remedies in case of non-respect. There was also a need to reflect in the legislation the prohibition of harmful traditional practices, such as genital mutilation and forced marriage, and any other form of violence against girls, including sexual abuse.

1112. The Committee had also identified certain areas where law reform should be undertaken, in both the civil and penal spheres, such as the minimum age for marriage and the linking of the age of criminal responsibility to the attainment of puberty. In several States the minimum age for marriage was different for girls and boys. To explain that, States had often argued that girls attain physical maturity earlier. However, maturity could not be identified simply as physical development; social and mental development also had to be taken into account. Moreover, on the basis of such criteria, girls were considered as adults before the law upon marriage, thereby being deprived of the comprehensive protection of the Convention. It was noted that the final document of the International Conference on Population and Development held at Cairo (A/CONF.171/13) has recently encouraged Governments to raise the minimum age at marriage, and the Special Rapporteur on violence against women in her preliminary report to the Commission on Human Rights had recognized that the age of marriage was a factor contributing to the violation of women's rights (E/CN.4/1995/42).

1113. In the criminal area, some legislation retained the linkage between the age of criminal responsibility and the attainment of puberty. Once again based on a subjective criterion that addressed only the physical aspect of the development of the child, that approach allowed boys and girls to be treated differently, often applying to the latter criminal punishments applicable to adults.

1114. The situation of specific vulnerable groups of children was also addressed. The situation of girls affected by armed conflicts and that of refugee girls were given particular attention. In view of the prevailing circumstances of emergency surrounding them, such girls did not have time to enjoy their childhood, and the traditional inferiority affecting girls' lives was seriously aggravated. Sexual violence and abuse and economic exploitation often occurred, education was not perceived as a priority when urgent basic needs must be met and forced and early marriage was seen as a protective measure. And although dramatically affected by emergency situations, girls often could not voice their fear and insecurity or share their hopes and feelings.

1115. Concern was also expressed about the situation of working girls. Girls below the age of 15 often did the same household work as adult women; such labour was not regarded as "real work" and was therefore never reflected in the statistical data. To free girls from that cycle they must have the equal chances and equal treatment, with special emphasis on education.

1116. As in previous thematic discussions, there was recognition of the urgent importance of gathering information and gender-disaggregated data, in a comprehensive and integrated manner, at the international, regional, national and local levels, with a view to assessing the prevailing reality affecting girls, identifying persisting problems and challenging the prevalence of invisibility, which in turn allowed for the perpetuation of vulnerability. Only through a serious analysis of the root causes of gender gaps would it be possible to develop appropriate strategies and programmes to eliminate gender disparity and empower girls and women. International organizations should devote greater efforts to defining a comprehensive and integrated strategy to monitor the situation of girls in accordance with their mandates.

1117. At the end of the thematic discussion, the Committee stressed the importance of wide participation by United Nations and non-governmental bodies, which had contributed to the richness of the debate. It presented a set of

conclusions which reflected the main areas addressed during the discussion (see CRC/C/38, annex V). The Committee adopted a recommendation on this subject (see chap. I) which it decided to transmit, along with the contents of the general discussion, to the secretariat of the Fourth World Conference on Women, in particular with a view to ensuring that particular emphasis is given to the following:

(a) The platform for action should reflect, throughout its different chapters, the situation and fundamental rights of the girl child, in particular in the areas specifically addressed during the general discussion of the Committee;

(b) The Convention on the Rights of the Child, together with the Convention on the Elimination of All Forms of Discrimination against Women, should constitute an essential framework for a forward-looking strategy to promote and protect the fundamental rights of girls and women and eradicate inequality and discrimination;

(c) The Committee on the Rights of the Child, in view of its crucial role in monitoring the rights of girls, should be clearly considered as an essential mechanism within the framework of the international machinery that will be entrusted with the task of monitoring and periodically reviewing the implementation of the platform for action.

3. The administration of juvenile justice

1118. The Committee identified two main areas to be considered during the debate: the relevance of the effective implementation of existing standards; and the value of international cooperation, namely through programmes of technical assistance. It was of the opinion that discussion of those themes would contribute to emphasizing the importance of accountability for the protection of, and respect for, the human rights of children, and would stress the need to foster international solidarity for the realization of those rights.

1119. As for previous thematic discussions, the Committee had invited, in the light of article 45 of the Convention, representatives of United Nations organs, bodies and specialized agencies, and other competent bodies, including non-governmental organizations and research and academic institutions, to contribute to the discussion and provide expert advice on the two identified topics.

1120. Several organizations submitted documents on the theme. The list of these documents and contributions is to be found in annex VI to document CRC/C/46.

1121. Representatives of various organisations and bodies made statements during the general discussion (see CRC/C/46, para. 211).

1122. The theme day was introduced by a Committee member, Ms. Sandra Mason. In her statement, the holistic approach of the Convention to children's rights was stressed, as well as the essential value of its general principles, which were of a particular relevance in the area of juvenile justice. Envisaging the child as a subject of rights, ensuring clear recognition and implementation of the principle of equality before the law and recognizing the inherent link existing between human rights and legal rights were emphasized as essential means to ensure respect for existing standards, in particular the Convention.

1123. The various interventions of Committee members and invited participants ensured a lively debate during which the importance of existing United Nations norms and principles was stressed, concrete examples of projects carried out at the country and regional levels were presented, and successful achievements or difficulties encountered in the process of ensuring the realization of children's rights worldwide were mentioned.

1124. In that framework, the universality of the Convention was referred to as having particular significance. In view of the fact that it had been ratified by 181 States, the Convention provided a common reference and an ethical vision for addressing the issue of the administration of juvenile justice. The binding nature of its provisions implied a clear recognition on the part of States parties of the rights set forth therein. In addition, the Convention called for the implementation of the most conducive provisions for the realization of the rights of the child, and had therefore to be considered in conjunction with other relevant international instruments, namely the Beijing Rules, the Riyadh Guidelines and the Rules for the Protection of Juveniles Deprived of their Liberty. Those instruments complemented and provided guidance for the implementation of the rights recognized by the Convention and confirmed that there was no possible conflict between human rights and juvenile justice.

1125. That approach was prevalent in the consideration of States parties reports by the Committee, in the preparation of the list of issues, as well as in the formulation of concluding observations and of the recommendations addressed to Governments. It would further guide the Committee in the preparation of the guidelines for the future periodic reports to be submitted in the light of article 44 of the Convention.

1126. Such an approach should also inspire action for the realization of children's rights in a broader context, since juvenile justice could not be reduced to situations where a conflict with criminal law had arisen. As an illustration, attention was paid to the area of asylum-seeking, refugee and unaccompanied children. In fact, the diversity of provisions in the Convention applicable to them, and the universal nature of that legal instrument, extended the level of the protection of their fundamental human rights and legal safeguards, in particular in situations of deprivation of liberty or separation from their families. In such circumstances, it was essential to ensure that the child was treated in a manner consistent with the promotion of his or her sense of dignity and worth and that decisions were clearly taken in the light of the best interests of the child, in a due process that gave the child who was capable of forming his or her own views the right to express those views freely.

1127. In the evaluation of the experience of the Committee in its monitoring function, it was stressed that very often reports lacked information concerning juvenile justice, including data on the number of children deprived of liberty through arrest, detention or imprisonment. Reports were usually limited to a general description of legal provisions, rarely addressing social factors leading to the involvement of juveniles with the system of administration of justice or the social consequences of the decisions taken in that context. Similarly, they usually did not identify factors or difficulties that impeded progress towards the effective realization of children's rights.

1128. It was particularly felt that the general principles of the Convention had not been adequately reflected in national legislation or practice. In relation to non-discrimination, particular concern was expressed about instances where criteria of a subjective and arbitrary nature (such as with regard to the attainment of puberty, the age of discernment or the personality of the child)

still prevailed in the assessment of the criminal responsibility of children and in deciding upon the measures applicable to them. Attention was also paid to the situation of children living and/or working on the street, who in view of their low status were often confronted with social exclusion and stigmatization, including on the part of police officials. Such a situation paved the way for frequent and extreme abuses that were rarely monitored or punished and were therefore committed with unacceptable impunity.

1129. The principle of the best interests of the child was reaffirmed by the Convention in the context of the administration of juvenile justice, particularly when it stressed that the child should be treated in a manner consistent with the promotion of his or her sense of dignity and worth which reinforced respect for the child's human rights and fundamental freedoms and took into account the child's age and special needs. However, reports revealed that special juvenile justice systems were often non-existent, that judges, lawyers, social workers or personnel in institutions were not given any special training and that information on fundamental rights and legal safeguards were not provided to children. For those reasons, and contrary to the Convention, deprivation of liberty was not used only as a measure of last resort or for the shortest period of time possible as called for in the Convention, nor were contacts with the family the rule; access to legal and other assistance was not provided and free legal aid was often not available.

1130. Similarly, in relation to the right of the child to participate in proceedings affecting him or her, States parties' reports had indicated that children were seldom made sufficiently aware of their rights, including the right to assistance from a legal counsel, or of the circumstances surrounding the case or of the measures decided. They were also often denied the right to lodge complaints when they were victims of violation of their fundamental rights, including in cases of ill-treatment and sexual abuse. Moreover, the increasing trend for juvenile justice to become the subject of social and emotional pressure was a matter of particular concern, since it created opportunities to undermine respect for the best interests of the child.

1131. It was noted with deep regret that the death penalty was still admitted in some countries for persons below the age of 18, that whipping and flogging were used as educative and punitive measures, and that insufficient attention was paid to the need for the promotion of an effective system of physical and psychological recovery and social reintegration of the child, in an environment that fostered his or her health, self-respect and dignity.

1132. In that context, it was felt that there was a clear need to ensure, in the light of article 42 of the Convention and in the spirit of the United Nations Decade for Human Rights Education, a systematic campaign of information and awareness of the rights of the child. Particular efforts should be made to provide accessible information to children, including through the school system, as a means to strengthen the prevention of violation of their fundamental rights or neglect of fundamental legal safeguards.

1133. Similarly, further steps should be taken to ensure that systematic training activities were provided to relevant professional groups working with and for children in that area. In that connection, the importance was stressed of incorporating the Convention in training curricula and of reflecting its basic values in relevant codes of conduct. Particular reference was made to the role played by judges, lawyers, social workers, law enforcement officials, immigration officers and personnel working in institutions for children.

1134. It was emphasized that there was an urgent need to ensure the publication and wide dissemination of a manual on standards of juvenile justice, including the Convention and other relevant United Nations standards adopted in this field, if possible with a commentary thereon, as well as of a manual on training for law enforcement officials. Expressing its willingness to be associated in such efforts, the Committee recognized the importance of such manuals as tools for advocacy and training activities, including those developed by the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch.

1135. All those measures would further contribute to ensuring the effective realization of children's rights and would promote the full compliance of national legislation with international standards adopted in the field of juvenile justice.

1136. Moreover, all the above-mentioned measures would help to ensure that the child was always envisaged as a subject of the rights inherent to the human dignity of the person and that the child was envisaged mainly as a victim, including in situations of sexual abuse, child prostitution and child pornography. The criminal responsibility of the child should be based on objective criteria clearly excluding situations where the child was simply confronted with poverty and social exclusion.

1137. Moreover, deprivation of liberty, in particular pre-trial detention, should never be unlawful or arbitrary and should only be used once all other alternative solutions would have proved to be inadequate. When deprived of liberty every child should have the right to prompt legal or other appropriate assistance, and the right to challenge the deprivation of liberty before a court or other impartial and independent body. The privacy of the child should be fully respected in all stages of the proceedings, including in relation to criminal records and possible reporting by the media.

1138. In the same context, concern was expressed at the placement of children in institutions, under a welfare pretext, without taking into due consideration the best interests of the child nor ensuring the fundamental safeguards recognized by the Convention, including the right to challenge the decision of placement before a judicial authority, to a periodic review of the treatment provided to the child and all other circumstances relevant to the child's placement and the right to lodge complaints.

1139. It was urged that alternatives to institutional care should be sought, and a call was made for the adoption of adequate measures to end the prevailing lack of transparency in institutions for children. In that regard, it was suggested that serious consideration be given to the development of independent mechanisms, at the national and international levels, to ensure periodic visits to and an effective monitoring of such institutions, including in relation to complaints that might have been lodged. Recalling the significant role played by the International Committee of the Red Cross, in particular in situations of armed conflict, and the current efforts of the Commission on Human Rights aimed at introducing a system of periodic visits to places of detention in the framework of an optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, participants highlighted the particular relevance of national independent mechanisms. In that connection, reference was made to the role judges might play and to the importance of the intervention of an ombudsman to ensure respect for the rights and interests of young persons.

1140. During the debate, the role of the family was recognized as fundamental ensuring the effective enjoyment of the rights of children and their reintegration in an environment that fostered their self-respect and dignity. In the light of both the Convention and the Riyadh Guidelines, families should be encouraged to have closer and more frequent contacts with children placed in institutions and to have a say in children's treatment. The child's socialization should be promoted through increasing the involvement of families in children's programmes and through facilitating the release of children for home visits. Research on psycho-social implications of juvenile justice was recommended in that regard.

1141. It was interesting to note, in that connection, the importance attached by traditional systems to the family, including the extended family, as well as to the community, in the process of ensuring the social reintegration of children and the promotion of their active participation in society. Such systems allowed for respect of the privacy of the family and encouraged the consideration of healing and reconciliation measures as alternatives to custody or corporal punishment.

1142. Research in that area was therefore considered as being important to identify the traditional solutions that were fully compatible with the Convention and its basic values. When widely shared in a given society, such solutions might be instrumental in the effective realization of children's rights.

1143. The general discussion stressed the great relevance of international cooperation in the field of juvenile justice, an area that had become a clear priority in the United Nations system.

1144. Relevant bodies, including the Committee on the Rights of the Child, the Commission on Crime Prevention and Criminal Justice and the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, the Commission on Human Rights, as well as the Advisory Services, Technical Assistance and Information Branch of the Centre for Human Rights should therefore cooperate increasingly in the areas of research, training, dissemination and the exchange of information, implementation and monitoring of existing standards, as well as in specific programmes of technical assistance. Only in that way would it be possible to rationalize the use of resources, streamline activities and enhance the efficiency of programmes, while clearly reaffirming the inherent link between criminal justice and human rights. For that reason, the participation in the thematic discussion of representatives of some of those bodies was welcomed.

1145. The reporting system of the Convention, including the dialogue held with the States parties and the concluding observations adopted by the Committee, was recognized as decisively important to ensure a comprehensive framework for programmes of technical assistance. It provided the basis for a clear understanding of the situation in any given country and for fostering international cooperation and strengthening national capacities and infrastructures.

1146. The recommendations addressed to States parties by the Committee could be of special benefit in the implementation of programmes of technical assistance in the areas of research, law reform and training of professional groups or in the consideration of alternatives to custodial measures, as well as for needs assessment missions and evaluation procedures.

1147. For all those reasons, and in the light of the almost universal ratification of the Convention, the Committee was a natural focal point and played a central and catalytic role in the area of international cooperation and assistance in the field of juvenile justice.

1148. In that spirit, the Committee welcomed the initiatives designed to consider a strategy for technical cooperation and the establishment of a possible network for that purpose. It further welcomed the proposals made to ensure an increasing assistance to the Committee, in the light of the plan of action of the United Nations High Commissioner for Human Rights or through the establishment of an independent institution for that purpose.

ANNEX I

States that have ratified or acceded to the Convention on the
Rights of the Child as at 26 January 1996 (187)

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Afghanistan	27 September 1990	28 March 1994	27 April 1994
Albania	26 January 1990	27 February 1992	28 March 1992
Algeria	26 January 1990	16 April 1993	16 May 1993
Andorra	2 October 1995	2 January 1996	1 February 1996
Angola	14 February 1990	5 December 1990	4 January 1991
Antigua and Barbuda	12 March 1991	5 October 1993	4 November 1993
Argentina	29 June 1990	4 December 1990	3 January 1991
Armenia		23 June 1993 a/	22 July 1993
Australia	22 August 1990	17 December 1990	16 January 1991
Austria	26 January 1990	6 August 1992	5 September 1992
Azerbaijan		13 August 1992 a/	12 September 1992
Bahamas	30 October 1990	20 February 1991	22 March 1991
Bahrain		13 February 1992 a/	14 March 1992
Bangladesh	26 January 1990	3 August 1990	2 September 1990
Barbados	19 April 1990	9 October 1990	8 November 1990
Belarus	26 January 1990	1 October 1990	31 October 1990
Belgium	26 January 1990	16 December 1991	15 January 1992
Belize	2 March 1990	2 May 1990	2 September 1990
Benin	25 April 1990	3 August 1990	2 September 1990
Bhutan	4 June 1990	1 August 1990	2 September 1990
Bolivia	8 March 1990	26 June 1990	2 September 1990
Bosnia and Herzegovina b/			6 March 1992
Botswana		14 March 1995 a/	13 April 1995
Brazil	26 January 1990	24 September 1990	24 October 1990
Brunei Darussalam		27 December 1995 a/	26 January 1996
Bulgaria	31 May 1990	3 June 1991	3 July 1991
Burkina Faso	26 January 1990	31 August 1990	30 September 1990
Burundi	8 May 1990	19 October 1990	18 November 1990
Cambodia	22 September 1992	15 October 1992	14 November 1992
Cameroon	25 September 1990	11 January 1993	10 February 1993
Canada	28 May 1990	13 December 1991	12 January 1992
Cape Verde		4 June 1992 a/	4 July 1992
Central African Republic	30 July 1990	23 April 1992	23 May 1992
Chad	30 September 1990	2 October 1990	1 November 1990
Chile	26 January 1990	13 August 1990	12 September 1990
China	29 August 1990	2 March 1992	1 April 1992
Colombia	26 January 1990	28 January 1991	27 February 1991
Comoros	30 September 1990	22 June 1993	21 July 1993
Congo		14 October 1993 a/	13 November 1993
Costa Rica	26 January 1990	21 August 1990	20 September 1990

States	Date of signature	Date of receipt of instrument of ratification/ accession <u>a/</u>	Date of entry into force
Côte d'Ivoire	26 January 1990	4 February 1991	6 March 1991
Croatia <u>b/</u>			8 October 1991
Cuba	26 January 1990	21 August 1991	20 September 1991
Cyprus	5 October 1990	7 February 1991	9 March 1991
Czech Republic <u>b/</u>			1 January 1993
Democratic People's Republic of Korea	23 August 1990	21 September 1990	21 October 1990
Denmark	26 January 1990	19 July 1991	18 August 1991
Djibouti	30 September 1990	6 December 1990	5 January 1991
Dominica	26 January 1990	13 March 1991	12 April 1991
Dominican Republic	8 August 1990	11 June 1991	11 July 1991
Ecuador	26 January 1990	23 March 1990	2 September 1990
Egypt	5 February 1990	6 July 1990	2 September 1990
El Salvador	26 January 1990	10 July 1990	2 September 1990
Equatorial Guinea		15 June 1992 <u>a/</u>	15 July 1992
Eritrea	20 December 1993	3 August 1994	2 September 1994
Estonia		21 October 1991 <u>a/</u>	20 November 1991
Ethiopia		14 May 1991 <u>a/</u>	13 June 1991
Fiji	2 July 1993	13 August 1993	12 September 1993
Finland	26 January 1990	20 June 1991	20 July 1991
France	26 January 1990	7 August 1990	6 September 1990
Gabon	26 January 1990	9 February 1994	11 March 1994
Gambia	5 February 1990	8 August 1990	7 September 1990
Georgia		2 June 1994 <u>a/</u>	2 July 1994
Germany	26 January 1990	6 March 1992	5 April 1992
Ghana	29 January 1990	5 February 1990	2 September 1990
Greece	26 January 1990	11 May 1993	10 June 1993
Grenada	21 February 1990	5 November 1990	5 December 1990
Guatemala	26 January 1990	6 June 1990	2 September 1990
Guinea		13 July 1990 <u>a/</u>	2 September 1990
Guinea-Bissau	26 January 1990	20 August 1990	19 September 1990
Guyana	30 September 1990	14 January 1991	13 February 1991
Haiti	20 January 1990	8 June 1995	8 July 1995
Holy See	20 April 1990	20 April 1990	2 September 1990
Honduras	31 May 1990	10 August 1990	9 September 1990
Hungary	14 March 1990	7 October 1991	6 November 1991
Iceland	26 January 1990	28 October 1992	27 November 1992
India		11 December 1992 <u>a/</u>	11 January 1993
Indonesia	26 January 1990	5 September 1990	5 October 1990
Iran (Islamic Republic of)	5 September 1991	13 July 1994	12 August 1994
Iraq		15 June 1994 <u>a/</u>	15 July 1994
Ireland	30 September 1990	28 September 1992	28 October 1992
Israel	3 July 1990	3 October 1991	2 November 1991
Italy	26 January 1990	5 September 1991	5 October 1991
Jamaica	26 January 1990	14 May 1991	13 June 1991
Japan	21 September 1990	22 April 1994	22 May 1994

States	Date of signature	Date of receipt of instrument of ratification/ accession a/	Date of entry into force
Jordan	29 August 1990	24 May 1991	23 June 1991
Kazakstan	16 February 1994	12 August 1994	11 September 1994
Kenya	26 January 1990	30 July 1990	2 September 1990
Kiribati		11 December 1995 a/	10 January 1996
Kuwait	7 June 1990	21 October 1991	20 November 1991
Kyrgyzstan		7 October 1994	6 November 1994
Lao People's Democratic Republic		8 May 1991 a/	7 June 1991
Latvia		14 April 1992 a/	14 May 1992
Lebanon	26 January 1990	14 May 1991	13 June 1991
Lesotho	21 August 1990	10 March 1992	9 April 1992
Liberia	26 April 1990	4 June 1993	4 July 1993
Libyan Arab Jamahiriya		15 April 1993 a/	15 May 1993
Liechtenstein	30 September 1990	22 December 1995	21 January 1996
Lithuania		31 January 1992 a/	1 March 1992
Luxembourg	21 March 1990	7 March 1994	6 April 1994
Madagascar	19 April 1990	19 March 1991	18 April 1991
Malawi		2 January 1991 a/	1 February 1991
Malaysia		17 February 1995 a/	19 March 1995
Maldives	21 August 1990	11 February 1991	13 March 1991
Mali	26 January 1990	20 September 1990	20 October 1990
Malta	26 January 1990	30 September 1990	30 October 1990
Marshall Islands	14 April 1993	4 October 1993	3 November 1993
Mauritania	26 January 1990	16 May 1991	15 June 1991
Mauritius		26 July 1990 a/	2 September 1990
Mexico	26 January 1990	21 September 1990	21 October 1990
Micronesia (Federated States of)		5 May 1993 a/	4 June 1993
Monaco		21 June 1993 a/	21 July 1993
Mongolia	26 January 1990	5 July 1990	2 September 1990
Morocco	26 January 1990	21 June 1993	21 July 1993
Mozambique	30 September 1990	26 April 1994	26 May 1994
Myanmar		15 July 1991 a/	14 August 1991
Namibia	26 September 1990	30 September 1990	30 October 1990
Nauru		27 July 1994 a/	26 August 1994
Nepal	26 January 1990	14 September 1990	14 October 1990
Netherlands	26 January 1990	6 February 1995	7 March 1995
New Zealand	1 October 1990	6 April 1993	6 May 1993
Nicaragua	6 February 1990	5 October 1990	4 November 1990
Niger	26 January 1990	30 September 1990	30 October 1990
Nigeria	26 January 1990	19 April 1991	19 May 1991
Niue		20 December 1995 a/	19 January 1996
Norway	26 January 1990	8 January 1991	7 February 1991
Pakistan	20 September 1990	12 November 1990	12 December 1990
Palau		4 August 1995 a/	3 September 1995
Panama	26 January 1990	12 December 1990	11 January 1991
Papua New Guinea	30 September 1990	1 March 1993	31 March 1993

States	Date of signature	Date of receipt of instrument of ratification/ accession <u>a/</u>	Date of entry into force
Paraguay	4 April 1990	25 September 1990	25 October 1990
Peru	26 January 1990	4 September 1990	4 October 1990
Philippines	26 January 1990	21 August 1990	20 September 1990
Poland	26 January 1990	7 June 1991	7 July 1991
Portugal	26 January 1990	21 September 1990	21 October 1990
Qatar	8 December 1992	3 April 1995	3 May 1995
Republic of Korea	25 September 1990	20 November 1991	20 December 1991
Republic of Moldova		26 January 1993 <u>a/</u>	25 February 1993
Romania	26 January 1990	28 September 1990	28 October 1990
Russian Federation	26 January 1990	16 August 1990	15 September 1990
Rwanda	26 January 1990	24 January 1991	23 February 1991
Saint Kitts and Nevis	26 January 1990	24 July 1990	2 September 1990
Saint Lucia		16 June 1993 <u>a/</u>	16 July 1993
Saint Vincent and the Grenadines	20 September 1993	26 October 1993	25 November 1993
Samoa	30 September 1990	29 November 1994	29 December 1994
San Marino		25 November 1991 <u>a/</u>	25 December 1991
Sao Tome and Principe		14 May 1991 <u>a/</u>	13 June 1991
Saudi Arabia		26 January 1996 <u>a/</u>	25 February 1996
Senegal	26 January 1990	31 July 1990	2 September 1990
Seychelles		7 September 1990 <u>a/</u>	7 October 1990
Sierra Leone	13 February 1990	18 June 1990	2 September 1990
Singapore		5 October 1995 <u>a/</u>	4 November 1995
Slovakia <u>b/</u>			1 January 1993
Slovenia <u>b/</u>			25 June 1991
Solomon Islands		10 April 1995 <u>a/</u>	10 May 1995
South Africa	29 January 1993	16 June 1995	16 July 1995
Spain	26 January 1990	6 December 1990	5 January 1991
Sri Lanka	26 January 1990	12 July 1991	11 August 1991
Sudan	24 July 1990	3 August 1990	2 September 1990
Suriname	26 January 1990	1 March 1993	31 March 1993
Swaziland	22 August 1990	7 September 1995	6 October 1995
Sweden	26 January 1990	29 June 1990	2 September 1990
Syrian Arab Republic	18 September 1990	15 July 1993	14 August 1993
Tajikistan		26 October 1993 <u>a/</u>	25 November 1993
Thailand		27 March 1992 <u>a/</u>	26 April 1992
The former Yugoslav Republic of Macedonia <u>b/</u>			17 September 1991
Togo	26 January 1990	1 August 1990	2 September 1990
Tonga		6 November 1995 <u>a/</u>	6 December 1995
Trinidad and Tobago	30 September 1990	5 December 1991	4 January 1992
Tunisia	26 February 1990	30 January 1992	29 February 1992
Turkey	14 September 1990	4 April 1995	4 May 1995
Turkmenistan		20 September 1993 <u>a/</u>	19 October 1993
Tuvalu		22 September 1995 <u>a/</u>	22 October 1995
Uganda	17 August 1990	17 August 1990	16 September 1990
Ukraine	21 February 1991	28 August 1991	27 September 1991

States	Date of signature	Date of receipt of instrument of ratification/ accession <u>a/</u>	Date of entry into force
United Kingdom of Great Britain and Northern Ireland	19 April 1990	16 December 1991	15 January 1992
United Republic of Tanzania	1 June 1990	10 June 1991	10 July 1991
Uruguay	26 January 1990	20 November 1990	20 December 1990
Uzbekistan		29 June 1994 <u>a/</u>	29 July 1994
Vanuatu	30 September 1990	7 July 1993	6 August 1993
Venezuela	26 January 1990	13 September 1990	13 October 1990
Viet Nam	26 January 1990	28 February 1990	2 September 1990
Yemen	13 February 1990	1 May 1991	31 May 1991
Yugoslavia	26 January 1990	3 January 1991	2 February 1991
Zaire	20 March 1990	27 September 1990	27 October 1990
Zambia	30 September 1990	5 December 1991	5 January 1992
Zimbabwe	8 March 1990	11 September 1990	11 October 1990

a/ Accession.

b/ Succession.

ANNEX II

Membership of the Committee on the Rights of the Child

(1995-1997)

<u>Name</u>	<u>Country of nationality</u>
Mrs. Hoda BADRAN*	Egypt
Mrs. Akila BELEMBAGO**	Burkina Faso
Mrs. Flora C. EUFEMIO*	Philippines
Mr. Thomas HAMMARBERG**	Sweden
Mrs. Judith KARP**	Israel
Mr. Youri KOLOSOV**	Russian Federation
Miss Sandra Prunella MASON**	Barbados
Mr. Swithun Tachiona MOMBESHORA*	Zimbabwe
Mrs. Marta SANTOS PAIS*	Portugal
Mrs. Marilia SARDENBERG*	Brazil

* Term expires on 28 February 1997.

** Term expires on 28 February 1999.

ANNEX III

Status of submission of reports by States Parties under article 44 of the Convention on the Rights of the Child as at 26 January 1996

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
<u>A. Initial reports due in 1992</u>				
Bangladesh	2 September 1990	1 September 1992	15 November 1995	CRC/C/3/Add.38
Barbados	8 November 1990	7 November 1992		
Belarus	31 October 1990	30 October 1992	12 February 1993	CRC/C/3/Add.14 and Corr.1
Belize	2 September 1990	1 September 1992		
Benin	2 September 1990	1 September 1992		
Bhutan	2 September 1990	1 September 1992		
Bolivia	2 September 1990	1 September 1992	14 September 1992	CRC/C/3/Add.2
Brazil	24 October 1990	23 October 1992		
Burkina Faso	30 September 1990	29 September 1992	7 July 1993	CRC/C/3/Add.19
Burundi	18 November 1990	17 November 1992		
Chad	1 November 1990	31 October 1992		
Chile	12 September 1990	11 September 1992	22 June 1993	CRC/C/3/Add.18
Costa Rica	20 September 1990	20 September 1992	28 October 1992	CRC/C/3/Add.8
Democratic People's Republic of Korea	21 October 1990	20 October 1992		
Ecuador	2 September 1990	1 September 1992		
Egypt	2 September 1990	1 September 1992	23 October 1992	CRC/C/3/Add.6
El Salvador	2 September 1990	1 September 1992	3 November 1992	CRC/C/3/Add.9 and CRC/C/3/Add.28
France	6 September 1990	5 September 1992	8 April 1993	CRC/C/3/Add.15
Gambia	7 September 1990	6 September 1992		

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Ghana	2 September 1990	1 September 1992	20 November 1995	CRC/C/3/Add.39
Grenada	5 December 1990	4 December 1992		
Guatemala	2 September 1990	1 September 1992	5 January 1995	CRC/C/3/Add.33
Guinea	2 September 1990	1 September 1992		
Guinea-Bissau	19 September 1990	18 September 1992		
Holy See	2 September 1990	1 September 1992	2 March 1994	CRC/C/3/Add.27
Honduras	9 September 1990	8 September 1992	11 May 1993	CRC/C/3/Add.17
Indonesia	5 October 1990	4 October 1992	17 November 1992	CRC/C/3/Add.10 and CRC/C/3/Add.26
Kenya	2 September 1990	1 September 1992		
Mali	20 October 1990	19 October 1992		
Malta	30 October 1990	29 October 1992		
Mauritius	2 September 1990	1 September 1992	25 July 1995	CRC/C/3/Add.36
Mexico	21 October 1990	20 October 1992	15 December 1992	CRC/C/3/Add.11
Mongolia	2 September 1990	1 September 1992	20 October 1994	CRC/C/3/Add.32
Namibia	30 October 1990	29 October 1992	21 December 1992	CRC/C/3/Add.12
Nepal	14 October 1990	13 October 1992	10 April 1995	CRC/C/3/Add.34
Nicaragua	4 November 1990	3 November 1992	12 January 1994	CRC/C/3/Add.25
Niger	30 October 1990	29 October 1992	27 April 1994	CRC/C/3/Add.29
Pakistan	12 December 1990	11 December 1992	25 January 1993	CRC/C/3/Add.13
Paraguay	25 October 1990	24 October 1992	30 August 1993	CRC/C/3/Add.22
Peru	4 October 1990	3 October 1992	28 October 1992	CRC/C/3/Add.7 and CRC/C/3/Add.24
Philippines	20 September 1990	19 September 1992	21 September 1993	CRC/C/3/Add.23
Portugal	21 October 1990	20 October 1992	17 August 1994	CRC/C/3/Add.30
Romania	28 October 1990	27 October 1992	14 April 1993	CRC/C/3/Add.16

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Russian Federation	15 September 1990	14 September 1992	16 October 1992	CRC/C/3/Add.5
Saint Kitts and Nevis	2 September 1990	1 September 1992		
Senegal	2 September 1990	1 September 1992	12 September 1994	CRC/C/3/Add.31
Seychelles	7 October 1990	6 October 1992		
Sierra Leone	2 September 1990	1 September 1992		
Sudan	2 September 1990	1 September 1992	29 September 1992	CRC/C/3/Add.3 and CRC/C/3/Add.20
Sweden	2 September 1990	1 September 1992	7 September 1992	CRC/C/3/Add.1
Togo	2 September 1990	1 September 1992		
Uganda	16 September 1990	15 September 1992		
Uruguay	20 December 1990	19 December 1992	2 August 1995	CRC/C/3/Add.37
Venezuela	13 October 1990	12 October 1992		
Viet Nam	2 September 1990	1 September 1992	30 September 1992	CRC/C/3/Add.4 and CRC/C/3/Add.21
Zaire	27 October 1990	26 October 1992		
Zimbabwe	11 October 1990	10 October 1992	23 May 1995	CRC/C/3/Add.35

B. Initial reports due in 1993

Angola	4 January 1991	3 January 1993		
Argentina	3 January 1991	2 January 1993	17 March 1993	CRC/C/8/Add.2 and CRC/C/8/Add.17
Australia	16 January 1991	15 January 1993	8 January 1996	CRC/C/8/Add.31
Bahamas	22 March 1991	21 March 1993		
Bulgaria	3 July 1991	2 July 1993	29 September 1995	CRC/C/8/Add.29
Colombia	27 February 1991	26 February 1993	14 April 1993	CRC/C/8/Add.3
Côte d'Ivoire	6 March 1991	5 March 1993		
Croatia	7 November 1991	6 November 1993	8 November 1994	CRC/C/8/Add.19

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Cuba	20 September 1991	19 September 1993	27 October 1995	CRC/C/8/Add.30
Cyprus	9 March 1991	8 March 1993	22 December 1994	CRC/C/8/Add.24
Denmark	18 August 1991	17 August 1993	14 September 1993	CRC/C/8/Add.8
Djibouti	5 January 1991	4 January 1993		
Dominica	12 April 1991	11 April 1993		
Dominican Republic	11 July 1991	10 July 1993		
Estonia	20 November 1991	19 November 1993		
Ethiopia	13 June 1991	12 June 1993	10 August 1995	CRC/C/8/Add.27
Finland	20 July 1991	19 July 1993	12 December 1994	CRC/C/8/Add.22
Guyana	13 February 1991	12 February 1993		
Hungary	6 November 1991	5 November 1993		
Israel	2 November 1991	1 November 1993		
Italy	5 October 1991	4 October 1993	11 October 1994	CRC/C/8/Add.18
Jamaica	13 June 1991	12 June 1993	25 January 1994	CRC/C/8/Add.12
Jordan	23 June 1991	22 June 1993	25 May 1993	CRC/C/8/Add.4
Kuwait	20 November 1991	19 November 1993		
Lao People's Democratic Republic	7 June 1991	6 June 1993	18 January 1996	CRC/C/8/Add.32
Lebanon	13 June 1991	12 June 1993	21 December 1994	CRC/C/8/Add.23
Madagascar	18 April 1991	17 May 1993	20 July 1993	CRC/C/8/Add.5
Malawi	1 February 1991	31 January 1993		
Maldives	13 March 1991	12 March 1993	6 July 1994	CRC/C/8/Add.15
Mauritania	15 June 1991	14 June 1993		
Myanmar	14 August 1991	13 August 1993	14 September 1995	CRC/C/8/Add.9
Nigeria	19 May 1991	18 May 1993	19 July 1995	CRC/C/8/Add.26
Norway	7 February 1991	6 February 1993	30 August 1993	CRC/C/8/Add.7 and Corr.1 and 2

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Panama	11 January 1991	10 January 1993		
Poland	7 July 1991	6 July 1993	11 January 1994	CRC/C/8/Add.11
Republic of Korea	20 December 1991	19 December 1993	17 November 1994	CRC/C/8/Add.21
Rwanda	23 February 1991	22 February 1993	30 September 1992	CRC/C/8/Add.1
San Marino	25 December 1991	24 December 1993		
Sao Tome and Principe	13 June 1991	12 June 1993		
Slovenia	25 June 1991	24 June 1993	29 May 1995	CRC/C/8/Add.25
Spain	5 January 1991	4 January 1993	10 August 1993	CRC/C/8/Add.6
Sri Lanka	11 August 1991	10 August 1993	23 March 1994	CRC/C/8/Add.13
The former Yugoslav Republic of Macedonia	17 September 1991	16 September 1993		
Ukraine	27 September 1991	26 September 1993	8 October 1993	CRC/C/8/Add.10/ Rev.1
United Republic of Tanzania	10 July 1991	9 July 1993	29 April 1994	CRC/C/8/Add.14
Yemen	31 May 1991	30 May 1993	14 November 1994	CRC/C/8/Add.20
Yugoslavia	2 February 1991	1 February 1993	21 September 1994	CRC/C/8/Add.16
<u>C. Initial reports due in 1994</u>				
Albania	28 March 1992	27 March 1994		
Austria	5 September 1992	4 September 1994		
Azerbaijan	12 September 1992	11 September 1994	9 November 1995	CRC/C/11/Add.8
Bahrain	14 March 1992	14 March 1994		
Belgium	15 January 1992	14 January 1994	12 July 1994	CRC/C/11/Add.4
Bosnia and Herzegovina	6 March 1992	5 March 1994		
Cambodia	14 November 1992	15 November 1994		
Canada	12 January 1992	11 January 1994	17 June 1994	CRC/C/11/Add.3

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Cape Verde	4 July 1992	3 July 1994		
Central African Republic	23 May 1992	23 May 1994		
China	1 April 1992	31 March 1994	27 March 1995	CRC/C/11/Add.7
Czech Republic	1 January 1993	31 December 1994		
Equatorial Guinea	15 July 1992	14 July 1994		
Germany	5 April 1992	4 May 1994	30 August 1994	CRC/C/11/Add.5
Iceland	27 November 1992	26 November 1994	30 November 1994	CRC/C/11/Add.6
Ireland	28 October 1992	27 October 1994		
Latvia	14 May 1992	13 May 1994		
Lesotho	9 April 1992	8 April 1994		
Lithuania	1 March 1992	28 February 1994		
Slovakia	1 January 1993	31 December 1994		
Thailand	26 April 1992	25 April 1994		
Trinidad and Tobago	4 January 1992	3 January 1994		
Tunisia	29 February 1992	28 February 1994	16 May 1994	CRC/C/11/Add.2
United Kingdom of Great Britain and Northern Ireland	15 January 1992	14 January 1994	15 March 1994	CRC/C/11/Add.1
Zambia	5 January 1992	4 January 1994		

D. Initial reports due in 1995

Algeria	16 May 1993	15 May 1995	16 November 1995	CRC/C/28/Add.4
Antigua and Barbuda	4 November 1993	3 November 1995		
Armenia	23 July 1993	5 August 1995		
Cameroon	10 February 1993	9 February 1995		
Comoros	22 July 1993	21 July 1995		
Congo	13 November 1993	12 November 1995		

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Fiji	12 September 1993	11 September 1995		
Greece	10 June 1993	9 June 1995		
India	11 January 1993	10 January 1995		
Liberia	4 July 1993	3 July 1995		
Libyan Arab Jamahiriya	15 May 1993	14 May 1995		
Marshall Islands	3 November 1993	2 November 1995		
Micronesia (Federated States of)	4 June 1993	3 June 1995		
Monaco	21 July 1993	20 July 1995		
Morocco	21 July 1993	20 July 1995	27 July 1995	CRC/C/28/Add.1
New Zealand	6 May 1993	5 May 1995	29 September 1995	CRC/C/28/Add.3
Papua New Guinea	31 March 1993	31 March 1995		
Republic of Moldova	25 February 1993	24 February 1995		
Saint Lucia	16 July 1993	15 July 1995		
Saint Vincent and the Grenadines	25 November 1993	24 November 1995		
Suriname	31 March 1993	31 March 1995		
Syrian Arab Republic	14 August 1993	13 August 1995	22 September 1995	CRC/C/28/Add.2
Tajikistan	25 November 1993	24 November 1995		
Turkmenistan	20 October 1993	19 October 1995		
Vanuatu	6 August 1993	5 August 1995		
<u>E. Initial reports due in 1996</u>				
Afghanistan	27 April 1994	26 April 1996		
Eritrea	2 September 1994	1 September 1996		
Gabon	11 March 1994	10 March 1996		
Georgia	2 July 1994	1 July 1996		

<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
Iran (Islamic Republic of)	12 August 1994	11 August 1996		
Iraq	15 July 1994	14 July 1996		
Japan	22 May 1994	21 May 1996		
Kazakstan	11 September 1994	10 September 1996		
Kyrgyzstan	6 November 1994	5 November 1996		
Luxembourg	6 April 1994	5 April 1996		
Mozambique	26 May 1994	25 May 1996		
Nauru	26 August 1994	25 August 1996		
Samoa	29 December 1994	28 December 1996		
Uzbekistan	29 July 1994	28 July 1996		
<u>F. Initial reports due in 1997</u>				
Botswana	13 April 1995	12 April 1997		
Haiti	8 July 1995	7 July 1997		
Malaysia	19 March 1995	18 March 1997		
Netherlands	7 March 1995	6 March 1997		
Palau	3 September 1995	3 September 1997		
Qatar	3 May 1995	2 May 1997		
Singapore	4 November 1995	3 November 1997		
Solomon Islands	10 May 1995	9 May 1997		
South Africa	16 July 1995	15 July 1997		
Swaziland	6 October 1995	5 October 1997		
Tonga	6 December 1995	5 December 1997		
Turkey	4 May 1995	3 May 1997		
Tuvalu	22 October 1995	21 October 1997		

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<u>State party</u>	<u>Date of entry into force</u>	<u>Date due</u>	<u>Date of submission</u>	<u>Symbol</u>
	<u>G. Initial reports due in 1998</u>			
Andorra	1 February 1996	31 January 1998		
Brunei Darussalam	26 January 1996	25 January 1998		
Kiribati	10 January 1996	9 January 1998		
Liechtenstein	21 January 1996	20 January 1998		
Niue	19 January 1996	18 January 1998		
Saudi Arabia	25 February 1996	24 February 1998		