

Convention on the Rights of the Child

Distr. GENERAL

CRC/C/SR.595 20 January 2000

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-third session

SUMMARY RECORD OF THE 595th MEETING

Held at the Palais des Nations, Geneva, on Friday, 14 January 2000, at 10 a.m.

Chairperson: Mrs. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Costa Rica

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.00-40296 (E)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 6) (continued)

Second periodic report of Costa Rica (CRC/C/65/Add.7) (HRI/CORE/1/Add.104; CRC/C/Q/COS/2; written replies of Costa Rica to questions raised in the list of issues (document without a symbol, distributed in the meeting room in Spanish only))

- 1. <u>At the invitation of the Chairperson, Mr. Corella, Mr. Sanabria, Mr. Solano and Mr. Guillermet (Costa Rica) took places at the Committee table.</u>
- 2. <u>The CHAIRPERSON</u> welcomed the delegation and invited it to introduce the second periodic report of Costa Rica (CRC/C/65/Add.7).
- 3. Mr. SANABRIA (Costa Rica) said that the Convention on the Rights of the Child was seen in Costa Rica as an instrument which drew together all the main principles regarding children and thus helped both the Government and the private sector to establish priorities for child-related issues. One of the most important initiatives aimed at implementing the principles of the Convention was the establishment of an appropriate legal framework. The first step in that regard had been the entry into force in 1997 of a law giving the National Children's Trust, the main body dealing with children's issues in Costa Rica, constitutional rank and increased responsibility for the implementation of the Convention. The law had placed the National Children's Trust at the head of the social sector and transformed it from an assistance-oriented institution into the main authority working to promote the rights of the child and to combat general risks to children. The second legal development had been the entry into force of the Children and Adolescents Code in February 1998. The Code incorporated the fundamental principles of the Convention, namely the best interests of the child, the principle that children should be subjects of law, and the need to put into practice the National System for the Protection of Children and Adolescents.
- 4. Although Costa Rica had been a pioneer in Latin America in work on behalf of children, the emphasis for many years had been on providing assistance to children at risk. Too many different measures had been taken to protect such children because individual judges had been responsible for assessing the risk to each child and deciding what protection measures should be applied. In the past, children at risk, such as street children, had often been placed in penitentiaries with people convicted or accused of crimes, which had done little to improve their situation. In addition, little attention had been paid to issues affecting the majority of children, who were not in the "at risk" category, whereas the emphasis now was on the principle that all minors had rights.
- 5. The progress he had described represented a change of paradigm from an approach focusing on irregular situations to one which emphasized the fundamental rights of all children. The National Children's Trust was responsible for promoting the rights of all children, regardless of their social class, and for ensuring that their opinions were taken into account in all matters relevant to them. It was also responsible for ensuring that they had access to social services and procedures that were in place for their benefit.

- 6. The Children and Adolescents Code, which established the principle that children were subjects of law, enabled any child to submit a complaint to the National Children's Trust or the courts and expect to receive immediate and effective redress. The National Children's Trust carried out its programmes in conjunction with the community, in order that people themselves should determine the programme priorities.
- 7. A three-tiered system for the protection of children and young people was in place. The upper level consisted of the National Council on Children and Adolescents, which was under the direction of the President and was made up of senior officials from various State institutions, representing health, education, housing, training and other social areas. The Council also included representatives of non-governmental organizations (NGOs) working in the field of children's rights, along with representatives of the private sector and other sectors of society. It was responsible for implementing provisions of the Code that fell within the areas previously mentioned and for integrating them into a coherent institutional network for children.
- 8. The middle level of the child protection system consisted of the National Children's Trust and its local offices; other national institutions were also represented at that level. The Trust's mandate was to ensure that the various State institutions fulfilled their tasks with regard to children in a prompt and efficient manner and to ensure that cases of non-fulfilment were properly accounted for. The Trust also served as a vehicle for the transmission of complaints.
- 9. The lower level of the child protection system consisted of Boards for the Protection of Children and Adolescents, which were active in each community. The Boards were financed by the National Children's Trust and were made up of representatives of local government and of the Ministry of Education, together with three members of civil society. Each community elected a minor over the age of 15 to sit on its local Board and participate in the Board's activities. The Boards were responsible for monitoring the implementation of children's rights and developing programmes of assistance and protection. During the past year, the first children's rights committees had been set up to monitor human rights at the local level; proposals for over 100 more of them had been submitted. Although the activities of the child protection system were organized from the upper level downwards, it was also possible for proposals and complaints to filter upwards from grass-roots level to the Council at the top.
- 10. <u>The CHAIRPERSON</u> invited the members of the Committee to put questions to the delegation of Costa Rica.
- 11. Mr. DOEK said that dialogue between the Committee and the delegation would have been easier if the State party had followed the Committee's guidelines in drawing up its periodic report. However, the information provided and the State party's efforts to act on the recommendations made by the Committee after its consideration of the initial report were to be welcomed. As the written replies to the list of issues were available only in Spanish, he suggested that the delegation should briefly summarize those replies, dealing first with the five issues under the cluster "General Measures of Implementation".
- 12. Mr. SANABRIA (Costa Rica) said that in the past three years the human and budgetary resources allocated to the implementation of legislation had been increased in order to offset the national inflation rate. In that regard, four new local offices of the National Children's Trust

would be opened in 2000 in communities with a prevalence of Afro-Costa-Rican and other indigenous populations and Nicaraguan immigrants. Additional Boards for the protection of Children and Adolescents had also been established.

- 13. With regard to the National Plan of Action for Children and Youth, he drew attention to the activities of the National Council on Children and Adolescents, which had devoted its first months in operation to adapting its internal regulations and programmes to ensure that the best interests of children were given priority. The Council comprised representatives of all public institutions, who had formed an executive committee with the aim of organizing and developing the policies of the different institutions. Activities for children and young people were further strengthened by the Children's Department of the Office of the People's Ombudsman, which had established a permanent forum for monitoring the implementation of the Children and Adolescents Code and the Convention. Complaints received by the Department were sent to the National Children's Trust, which was required to respond at both national and local levels.
- 14. Disabled children, who represented approximately 3.5 per cent of the total child population, received support through the Equality of Opportunity for Handicapped Persons Act. The National Children's Trust designed projects to provide special training for staff working with disabled children.
- 15. If the incidence of sexual abuse of children had appeared to increase in the past three years, that was because of a rise in the number of cases reported and because greater public attention was being paid to the issue, which had previously been treated within the family. With regard to raising minorities' awareness of their rights, the National Children's Trust served as coordinator for institutional action in the areas with the highest concentration of minorities, such as the coastal and border areas.
- 16. Mrs. KARP said that Costa Rica was one of the few countries where significant changes had been made between the submission of the initial and second periodic reports. In the transition from emphasis on situations of irregularity to a rights-based approach, it was important to ascertain how priorities were defined. Certain children were clearly in need of greater assistance than others, a problem which was exacerbated by limited budgetary and human resources.
- 17. She asked how many more Boards for the Protection of Children and Adolescents were to be set up under the National Plan of Action for Children and Youth and the anticipated time-frame for their establishment. It should be made clear whether the new bodies would be required to submit a report to parliament on their activities and achievements. She would also like to know whether a systematic plan existed for training judges, law enforcement officers and social workers to operate within the new structures. Given that a complete change of attitude was required on the part of staff in those professions, appropriate training should be provided. Similarly, were there special schools to impart such training, and did incentives exist for people to enter those professions?
- 18. Mr. RABAH asked whether the Children's Ombudsman was an independent body or whether it cooperated with other entities, including NGOs. What kind of complaints procedure had been established for the Ombudsman? Did the procedure exist only within major cities?

- 19. Paragraph 40 of the report referred to adults' awareness of the fundamental rights and freedoms of children in a number of areas including education, protection against sexual abuse and respect for children's views. He asked whether there were any court cases pending on those subjects. More information should be provided on cooperation between Government ministries and NGOs, especially in relation to the preparation of the State party's report.
- 20. <u>Mrs. EL GUINDI</u> requested further information on the impact of economic reform on children and the resources available for the implementation of the National Plan of Action for Children and Youth. What percentage of total expenditure was devoted to the plan?
- 21. Mrs. MOKHUANE said that, according to the report, the Children's Ombudsman had been incorporated into the office of the People's Ombudsman, which had tended to reduce the effectiveness of the former. How was the matter perceived in Costa Rica? In the past 50 years, poverty in Costa Rica had been greatly alleviated, with improvements in the social security, education and health services. Recently, however, macroeconomic policies and globalization trends had caused many of those gains to be lost, and high unemployment rates had resulted. It should be made clear whether the funds available were sufficient to redress the situation.
- 22. Mr. SANABRIA (Costa Rica), replying to a question by Mrs. Karp, said that priorities were established in two ways. First, the National Council on Children and Adolescents had issued guidelines, based on social studies conducted in order to determine priority areas requiring concerted efforts system-wide. In that way the work conducted was centralized and made more effective. Second, the National Children's Trust determined which risk-related situations were to be given absolute priority. It was frequently possible to change a child's situation in order to restrict the possibility for irresponsible or abusive adults to cause harm. As a rule risk situations were given the highest priority, and efforts were made to keep children with their families whenever possible. In cases where the risks in question were the result of an inadequate response from schools or health services, the relevant institutions were requested to take measures to eliminate the problems. The National Children's Trust was empowered to take binding protective measures to remedy problem situations.
- 23. Thirty Boards for the Protection of Children and Adolescents had been established, corresponding to 25 local offices of the National Children's Trust. The ultimate goal was to establish a Board in each of the 81 provincial cantons. Likewise, it was hoped to established approximately 100 children's rights committees in 2000. Once the infrastructure was operational, it would be effective in both the short- and medium-term. In the short term, it was important to ensure that the Boards understood their obligation to give priority to children's rights. Adults were not doing children a favour but were fulfilling their obligation as adults to ensure that children were able to exercise their rights. In the medium term, the aim was to continue establishing Boards and children's rights and developing an institutional network which it was hoped would be fully in place within the next 10 years. To that end, the Government and the National Council on Children and Adolescents had established a 15-point agenda for children and adolescents.
- 24. With regard to training for the judiciary, judges were fully independent and it was not possible to impose training on them. Nevertheless, efforts had been made to train judges in the correct interpretation of the Children and Adolescents Code; similar training was provided for

police officers and social workers. As a change in attitude on the part of such officials was essential, workshops had been held for them and for the Children's Ombudsman in the past two years. A leading role in that area was played by the National Children's Trust, based on the implementation of the Convention and the Code. Permanent priority was attached to training, most of which was provided by one of three State universities or by private universities or other institutions in the fields of sociology, psychology and the law. Unfortunately, there were no real incentives for such officials, although a minimum wage comparable to wages in the public and private sector was in place.

- 25. The Government met its obligation to provide information on national programmes by providing reports for communities prepared by ministers and the different institutions. Likewise, the 15-point agenda previously referred to enabled the authorities to evaluate specific points relating to children and adolescents.
- 26. Replying to Mr. Rabah, he said that the Children's Ombudsman was largely independent but was answerable to Parliament. The Ombudsman's Department included two political appointees, but the rest of the staff was entirely independent; it evaluated the work of the Government in relation to expenditure and received complaints regarding the failure of any State institution to fulfil its legal obligations. The incorporation of the Office of the Children's Ombudsman, which was fully independent from the Executive, into the Office of the People's Ombudsman, rather than weakening its authority, had in fact strengthened it. A keynote of coordination between the national Government and NGOs, was the fact that NGOs carried out executive work and developed specific projects. In the light of the plans to reform the State, the latter was restricted in its recruitment capacity, but was able to contract the services of NGOs. Examples were to be three programmes for street children, which were conducted by NGOs but supervised and financed by the National Children's Trust. In relation to the coordination of the current report, all NGOs were required to submit periodic reports to the Executive, and those reports had been used as a basis for the State party's report. Regarding the work of the Ombudsman, the procedure for dealing with complaints established a period ranging from five days to one month for disciplinary or criminal proceedings to be taken against any official or institution failing to fulfil its obligations. The procedure was the same at both the national and local levels.
- 27. Education was the starting point for all the basic processes in a child's life. Schools' failure to fulfil their duties opened the way to premature entry into the labour market, drug abuse and sexual exploitation. Considerable efforts had been made to strengthen the education system, reduce the number of pupils dropping out of school and make education appropriate to the demands of modern-day society. The problem of sexual abuse usually arose in situations of physical or psychological maltreatment or neglect of a child. Through greater awareness of the problem, better relationships had been developed between children and adults, and changes had been made in traditional family patterns. The increasing number of requests for intervention showed that sexual abuse was no longer a taboo subject.
- 28. With reference to the consequences of economic reforms for children, during the past 15 years economic structural adjustment programmes had led to a substantial reduction in the number of essential services provided for vulnerable sectors of the population. Poverty, which had previously been alleviated, had recently increased. The budgetary funding devoted to

that area and the poverty-related information system established showed that priority was attached to eliminating poverty in the worst-affected sectors as efficiently and speedily as possible. Regarding the percentage of overall spending devoted to children and young people, the National Children's Trust was assigned the smallest budget of all State institutions. However, as other bodies such as the National Council on Children and Adolescents also received funding, the overall amounts devoted to the cause of children were high. The main aim in that area was more efficient use of public resources, especially in the social sector. Given the scarcity of those resources, it was important to ensure that their benefits were maximized. If the meagre resources available were used in an effective manner to combat poverty, the previous successes achieved could be maintained and poverty levels reduced considerably within a few years.

- 29. Mr. SANABRIA (Costa Rica), replying to question No. 6 of the list of issues (CRC/C/Q/COS/2) on measures taken to reduce gender discrimination, said that awareness-raising campaigns had been launched with regard to physical, psychological and sexual abuse, with an emphasis on gender issues. Over the years programmes had been introduced to provide care for children with specific needs, in particular girls and teenagers, and a separate ministry had been formed to deal with children's and women's affairs.
- 30. Concerning discrimination against vulnerable groups, the National Children's Trust had launched a programme which, in addition to children's rights, also encompassed training for government institutions and NGOs to acquaint them with curricula and the need for reforms in housing and other areas in order to provide assistance for children. An amnesty had been granted to illegal immigrants to enable them to regularize their status. It should be noted, however, that children's nationality was of no consequence; for example, the children of Nicaraguan immigrants had access to all services.
- 31. With respect to street children, the three projects he had mentioned earlier had led to remarkable results, especially in 1999. To narrow regional disparities, especially in the areas of development and health, a clean drinking water programme and other programmes of assistance had been set up in needy areas. Under the "Triangle of Solidarity" programme, State, community and public institutions came together to study priority development issues in the most needy areas with the aim of including them in the State budget.
- 32. At the initiative of the First Lady of Costa Rica, two programmes had been designed for children, teenagers and pregnant teenagers, focusing on education and skills training and the raising of self-esteem through group therapy. Approximately 5,000 young people had participated in the programmes, which had provided an opportunity to highlight sex education, in particular sexual abuse.
- 33. Turning to the Committee's questions on the best interests of the child, he drew attention to the new Juvenile Criminal Justice Act. Whereas previously the only option had been deprivation of freedom, currently there were many different forms of punishment for deviant behaviour by minors, with greater emphasis on rehabilitation and training rather than detention. Legislative reforms had also been made to the Penal Code to punish sexual offences against children. Prison sentences existed for various offences of sexual abuse and exploitation of children. One of the measures taken in the best interests of the child was to ensure the

appropriateness of judicial procedures. The child's best interests were also protected by conditions established such as the absence of the accused when a child was giving evidence and suspension of a case until the child felt ready to give evidence.

- 34. As far as courts of law and administrative authorities were concerned, detailed information was contained in the written replies.
- 35. To ensure respect for the rights of the family, electronic and print media campaigns had been launched. However, most of the work was being carried out by the Boards for the Protection of Children and Adolescents and the children's rights committees.
- 36. Regarding question 8 of the list of issues on children's participatory rights, administrative and judicial processes had begun to place new emphasis on the importance of children's views and statements. The importance of children's views was also highlighted in workshops, conferences and seminars organized in recent years in schools and colleges at both the regional and national levels.
- 37. In reply to the questions on the Children and Adolescents Code, he said that the schools' traditional system of class representatives was being consolidated in order to reveal the strengths and weaknesses of the educational system and to seek students' views.
- 38. Mr. DOEK requested further information about children's participatory rights. A class representative system was one option, but were there empowered student councils, and to what extent were they involved in disciplinary, curricular and extra-curricular activities? Did children in children's homes and institutions take part in decision-making?
- 39. With regard to the definition of the child, a recent article in the Washington Post had indicated that the child sex trade in Central America had increased. As young children were the most vulnerable to sexual exploitation, it was necessary to establish a minimum age of sexual consent, and the report did not make it clear whether such an age had been set in Costa Rica.
- 40. Mr. SANABRIA (Costa Rica) said that the participation of student representative organizations in decision-making was limited; the impact of such organizations was more of a progressive than an immediate nature. An eight-level participation scale developed in the United States graded participation as ranging from a purely decorative function through full participation in decision-making: Costa Rican student representative organizations were still at the first level, the aim being to promote civic awareness. Children were thus acquainted with civic duties such as voting and government elections; in that sense, the organizations contributed to democratic life. They were undergoing change and plans were being made to introduce a student Ombudsman.
- 41. School involvement and teacher/student relationships now represented a major focus of many Board programmes. The ultimate objective was for students to contribute to the effectiveness of the school process within the broader context of the Convention and domestic legislation.

- 42. As mentioned earlier, one of the main effects of the Convention was to introduce changes to domestic legislation relating to children. For example, title 3 of the Penal Code had been amended to reassess the issue of sexual offences, making the sexual abuse of minors a criminal offence liable to imprisonment. Commercial sexual exploitation of children had also been made a criminal offence, even when the minor consented. The two-year-long legislative reform in that regard had resulted in improved complaints and prosecution procedures.
- 43. He shared the Committee's concern regarding the minimum age of sexual consent. The Washington Post article had stirred up heated debate in the national press. Sexual exploitation was more than a purely economic issue, and involved upbringing, cultural patterns and adult/child relationships. Sexual exploitation, sexual abuse and maltreatment were closely linked and were not limited to economically disadvantaged areas. The issue of child sexual exploitation had gained prominence due to heightened public awareness and a sexual exploitation network that was as powerful as its drug counterpart. That "enemy" was heavily financed, involved hotels and travel agencies and was very present on the Internet, thereby placing limits on domestic legislation. Costa Rica had denounced such networks, and all tourists arriving in the country were presented with a "tourism passport" explaining the relevant legislation and penalties for sexual exploitation. Extensive programmes also existed in the capital, ports and towns bordering Panama. An international effort was required to effectively combat and dismantle the infiltrating networks. Nevertheless, Costa Rica was encouraged by the positive results that had been achieved in other countries.
- 44. Mrs. RILANTONO warned against a top-down approach to programme implementation and policy-making. For example, she wondered whether the National Children's Trust gave emphasis to community involvement.
- 45. She asked whether data were periodically updated to evaluate the outcome of efforts made. With the creation of the ministry responsible for children and women's affairs, had any progress been made in reducing early marriages and unplanned pregnancies? She asked whether domestic violence had increased and whether efforts had been made to raise awareness of that problem.
- 46. Mr. RABAH, referring to birth registration, noted that table 6 of the second periodic report of Costa Rica contained data up to 1996. He wondered whether up-to-date figures were available, as birth registration was important in order for children to benefit from health and other services. Was there a problem in registering new births?
- 47. Mrs. KARP said that the dialogue between children and social workers, which required specific skills, should be developed further. What efforts were being made to ensure that children had an informed view? Specific protocols should be provided to psychologists, law enforcement officials and judges to facilitate dialogue with children. Did the State party envisage the introduction of such protocols?
- 48. <u>Mr. SANABRIA</u> (Costa Rica) said that the National Children's Trust was an autonomous State institution and that only the executive director of its governing board was appointed by the

Government. Five members were appointed by the President of the Republic and the governing board. However, the remaining staff of technical experts were permanent employees, irrespective of any changes in Government.

- 49. Community involvement was viewed by the Government as a priority, one example being, Triangle of Solidarity, which included representatives of the State, communities and public institutions.
- 50. Replying to a question by Mrs. Karp, he said the National Children's Trust and other agencies kept statistics on four forms of maltreatment: negligence, psychological abuse, physical abuse and sexual violence. However, budgetary constraints had impeded the establishment of a much-needed national integrated statistics system, to which the authorities attached great importance. To a question by Mr. Rabah, he replied that Costa Rica had a 95 per cent birth registration rate. No action was required of the mother, newborns being automatically registered as Costa Rican citizens, regardless of the parents' nationality with the Civil Registry by the hospital services.
- 51. He agreed that communication with children should be assigned priority, especially with regard to matters as delicate as sexual abuse in the home, failing which the results could be as negative as the original abuse. Protocols on communication with children did exist; they had recently been reviewed and would soon be finalized. The National Children's Trust had commissioned three professionals to evaluate the work. Defence and legal guarantees were dealt with by legal experts, while for care and protection, the assistance of NGOs and the community was sought. He confirmed that the State was required to prosecute domestic violence against a child, in order to protect siblings from the same fate or the child from further violence. In that regard, the child's wishes did not automatically prevail.
- 52. <u>The CHAIRPERSON</u> invited the delegation to summarize its written replies to questions 9 and 10 of the list of issues.
- Mr. SANABRIA (Costa Rica), summarizing the written reply to question 9, said that care 53. institutions dealt with three types of children: orphans, children living at home but at risk from the family, and children whose mothers or parents wished them to be adopted. Orphans were rarely abandoned in Costa Rica, but were usually welcomed into the extended family. When children were at risk from a parent or foster parent, the first measure was to remove the aggressor, rather than the victim. However, if a child had to leave the home because both parents were abusers, attempts were made to place him or her with the extended family. The National Children's Trust conducted a family assistance programme for children placed in its foster homes or hostels, of which there were 45 in Costa Rica. Each accommodated a maximum of 10 children and was run by two adults, thereby simulating a family environment. Other facilities, run on similar lines, were offered by NGOs. There were also hostels for teenage girls in general, not only those at risk, which had yielded excellent results. The goal was short-term residence in those hostels prior to placement in a foster home or reintegration into the community. Once a case had been reviewed, one option for abandoned children was adoption, processes for which were currently being streamlined by the authorities. Direct adoption was possible under the Family Code, but international adoption was discouraged by the Government because of the risks involved.

- 54. Summarizing the written reply to question 10, he said domestic violence was governed by a new law providing for the removal of the aggressor from the home while judicial measures were in progress. Three State institutions were involved in the promulgation of laws. The National Institute for Women conducted programmes on domestic and gender violence which focused on the empowerment of women. In parallel, national awareness campaigns were conducted through the media. The second institution, which dealt with poverty, was the Joint Institute for Social Assistance, which had established a clear correlation between economic and social disadvantage and domestic violence. It worked closely with the National Institute for Women to raise women's self-esteem. The third institution was the National Children's Trust, which used the mass media to promote the priorities established by its governing board. Its areas of focus were school drop-outs, employment, drug consumption and prostitution; it concentrated on prevention and on ensuring that complaints were given the required judicial and therapeutic follow-up.
- 55. Mr. DOEK congratulated the authorities on the enactment of the special law removing the aggressor from the home, which he had been commending to his own Government. He requested further information about incentives to extended families and foster families to take in abandoned children. Did the families receive an allowance and was there a system to monitor the treatment the children received? He commended the empowerment strategy employed by the National Institute for Women, but children also needed to be educated and informed about family abuse. Were there specific measures for providing abused children with the confidence to report such offences?
- 56. Lastly, he asked whether Costa Rica, which had ratified the Hague Convention on Protection of Children and Cooperation in respect of Inter-Country Adoption, and had even been instrumental in its drafting, considered that Convention to be inadequate.
- 57. Mrs. KARP said that her country had also enacted legislation to remove the perpetrator of domestic violence, rather than the victim, from the home, with mixed results. When the victim was a child, the mother did not always cooperate for fear of losing her husband. What percentage of success did Costa Rica enjoy in those circumstances? She asked whether any research had been conducted on girls on the streets to link prostitution to child abuse, and whether there were any plans to provide treatment programmes based on that linkage. She also asked whether fathers in Costa Rica participated fully in child rearing, and whether any measures existed to encourage them to do so. She would also like to know whether there was an adult education or community-counselling structure for parents.
- 58. In conclusion, she asked how children were protected with regard to cross examination and double victimization during the police investigation and court proceedings.
- 59. Mr. SANABRIA (Costa Rica) said that foster families received \$50 per month, or \$100 if the child was disabled. Costa Rica had indeed signed the Hague Convention, but the problem was one of legal interpretation. Discussions were currently under way with the judiciary, the prevailing view being that the best interests of the child must be paramount.
- 60. To give children the confidence to report abuse, psychological and social work was undertaken with the children and their families; complaints were not dealt with only at the

CRC/C/SR.595 page 12

judicial level. Replying to a question by Mrs. Karp, he said that mothers of abused children did not cooperate if they feared that proceedings would result in the loss of the breadwinner. While the Government paid subsidies in those circumstances, difficulties still arose where a mother was prepared to refute the child's allegations in order to preserve her marriage. However, the authorities ensured that follow-up action was taken until all remedies had been exhausted.

61. A research project was being developed on the link between sexual and other abuse within the family, and poverty. The child-raising partnership of men and women was a topical issue in Costa Rica. It was a complex subject, with men and women having gender-specific areas of concern. A campaign on responsible fatherhood had been conducted in 1999.

The meeting rose at 1 p.m.