



Convention on the Rights of the Child

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Summary record of the 1675th meeting

Held at the Palais Wilson, Geneva, on Thursday, 19 January 2012, at 10 a.m.

Chairperson: Mr. Zermatten

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties *(continued)*

Combined third and fourth periodic reports of Myanmar on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/MMR/3-4; CRC/C/MMR/Q/3-4; CRC/C/MMR/Q/3-4/Add.1)

1. *At the invitation of the Chairperson, the delegation of Myanmar took places at the Committee table.*
2. **Mr. Maung Wai** (Myanmar) said that the President of the Republic of the Union of Myanmar, in his inaugural address to Parliament (*Hluttaw*), had outlined guidelines for the policy he intended to pursue, including with regard to the safeguarding of fundamental rights, the repeal or amendment of existing laws and the enactment of new laws promoting human rights. He also intended to make Myanmar stand firm as a respectful member of the global community, while participating in regional and international organizations, including the United Nations, the Association of Southeast Asian Nations (ASEAN) and the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation.
3. By forming a constitutional Government and establishing a Parliament, Myanmar had entered a new era. Various parliamentary committees had been created and were responsible, inter alia, for social development, fundamental rights, democracy and human rights, and the promotion of health and education. The Myanmar National Human Rights Commission had also been formed with a view to protecting the fundamental rights enshrined in the Constitution. To make considerable improvements to the standard of living of persons in rural areas, who made up the majority of the population, the new Government was currently working to establish a central committee for rural development and poverty reduction.
4. The National Committee on the Rights of the Child, which had been reconstituted on 27 May 2011 under the Ministry of Social Welfare, Relief and Resettlement, was convened in its new form on 15 August 2011 and the state and regions social affairs ministers attended in their capacity as chairpersons of local committees on the rights of the child.
5. Myanmar had recently acceded to the Convention on the Rights of Persons with Disabilities and a bill to protect the rights of persons with disabilities was currently on the drawing board. The Government had also very recently deposited the instrument of accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, a reflection of its strong commitment to the promotion and protection of children's rights and well-being. A workshop designed to bring the Myanmar Child Act of 1993 into line with the Convention had been organized in December 2011 by the Ministry of Social Welfare, Relief and Resettlement and the United Nations International Children's Emergency Fund (UNICEF) Office in Myanmar. Pursuant to article 42 of the Convention, the Chairman and members of the National Committee on the Rights of the Child had toured the country to raise public awareness of the Convention.
6. In its implementation of the National Health Plan, Myanmar gave top priority to maternal, newborn and children's health, thereby hoping to improve relevant indicators so as to achieve the Millennium Development Goals concerned with improvement of maternal and child health. The Government was fully aware of the need to set up an effective health-care system to provide women and children with a full range of key health services.
7. In the education sector, Myanmar had introduced free and compulsory primary education and provided textbooks and stationery to all primary school students. Preparations were under way to set up a system of scholarships and stipends as of the

2012/13 academic year, which would allow eligible students to continue their studies in secondary and higher education. The Government had authorized the creation of private schools so as to enhance the quality of education.

8. A number of plans were under way in the area of education: the Long-term Basic Education Development Plan (2001–2031), the Education for All National Action Plan (2003–2015) and the Poverty Alleviation and Rural Development Plan (2011–2015).

9. Since 2007, the Department of Social Welfare had been promoting mother circles as a community-based approach, promoting preschool education for children from poor families. There were now 190 mother circles in 19 townships across 14 states and regions in Myanmar.

10. The Ministry of Education had also introduced some pre-primary classes in elementary schools, which were currently attended by 22 per cent of children of preschool.

11. According to a disability survey conducted in 2008–2009, the prevalence of disability nationwide was 2.32 per cent. Some 68,000 children under 5 years of age had disabilities, and 250,000 aged between 5 and 16 years. All children with disabilities had access to education, initially in special schools and then in regular schools once they had achieved the required level.

12. Protection measures were being developed for trafficked persons, including children. The Trafficking in Persons Act had been enacted in 2005, national guidelines on the return, repatriation and rehabilitation of trafficking victims were being drafted, and bilateral agreements establishing standardized procedures were due to be concluded shortly between Myanmar and Thailand. In 2010 and 2011, 72 child victims of trafficking had been repatriated from countries such as China and Thailand and reunited with their families. Rehabilitation and follow-up services were provided by UNICEF, the International Organization for Migration, the United Nations Inter-Agency Project on Human Trafficking, World Vision, Save the Children and other NGOs.

13. The Government of Myanmar also assigned high priority to preventing underage military recruitment; military personnel who violated rules on the prohibition of such practices were subject to punitive action.

14. The Committee for the Prevention of the Military Recruitment of Underage Children was working closely with relevant United Nations agencies to draw up a joint plan on that matter, which would be implemented imminently. Between 2002 and 2011, 927 underage children had been released from military service, and 168 military personnel had been penalized for unwittingly recruiting minors. To prevent such isolated incidents from recurring, some 1,000 State employees from a range of different ministries had participated in a training course entitled “Awareness for prevention of underage recruitment” over a period of time.

15. To prevent and protect children from abuse, neglect and exploitation, the Department of Social Welfare had been collaborating with UNICEF since 2008 to establish a child protection system in 25 townships. To that end, awareness-raising and family support programmes were carried out by township committees on the rights of the child.

16. The majority of the concluding observations of the Committee on the Rights of the Child had been implemented since its consideration of Myanmar’s second periodic report. However, much remained to be done, especially in respect of birth registration and child protection.

17. As a developing country, Myanmar faced technical, financial and other constraints when implementing the Convention, and yet it had no intention of shying away from its obligations. By forming a constitutional Government and establishing a Parliament,

Myanmar had entered a new era and in the space of six months it had already made tangible progress in the implementation of its political, social and economic reform agenda. There was no doubt that the process would have a positive impact on the well-being of children.

18. **The Chairperson**, speaking in his capacity as Country Rapporteur, said that the results of the implementation of the Convention since the review of the State party's second periodic report in 2004 had been mixed. Although progress had been made in some areas over the previous nine months, almost all the recommendations formulated in 2004 could be taken up again.

19. A number of very symbolic acts should certainly be highlighted such as the release of Aung San Suu Kyi and hundreds of political prisoners, the conclusion of ceasefire agreements with Karen rebels, the pledge to hold free elections before long and to reduce control of the Internet. However, the "jewels of the nation" that children were claimed to be were not adequately protected, were often forced to work very hard from a young age and subjected to ill-treatment. Moreover, Myanmar had acceded to just a few international instruments and, more particularly, had still not ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

20. The State party had submitted its well-structured report and also replied to the list of issues before the deadlines. It had endeavoured to bring its law on children into line with the Convention and adopt a law against trafficking in persons and had introduced a complaints mechanism allowing children to appeal to the Committee.

21. He wished to know the Convention's status in domestic law, not least whether it would take precedence over national legislation when they conflicted; whether decision makers were familiar with it; and finally whether it was true that it had never been invoked in a court of law.

22. Referring to the tradition to be taken into account, mentioned by the State party in one of its written replies in the context of the minimum age for marriage, he requested more information on the hierarchy of laws in the State party, which seemed to apply customary, positive and international law at one and the same time.

23. It would be interesting to learn whether the 2008 Constitution, which came into force in 2011, contained a separate chapter devoted exclusively to children's rights; and to discover the current status of the draft amendment of the 1993 Child Act as amended in 2001.

24. With regard to decentralization, he asked whether the State party planned to establish more committees on the rights of the child throughout the country, given that there were only some 20 of them at the time. He also wished to know the budgetary allocations of the Department of Social Welfare, the number of persons it employed and which body was responsible for coordination between governmental agencies and civil society.

25. The delegation of Myanmar could perhaps indicate which entity was overseeing implementation of the National Action Plan for Children (2006–2015) in the areas of health and nutrition, water and sanitation, education and child development and protection; whether the plan was regularly assessed; what budget was allocated to it; and to what extent its implementation was coordinated with those of other sectoral plans in the areas of education, health and demobilization.

26. Given that, as far as he understood, the National Human Rights Commission was the only truly independent body actively protecting fundamental rights, he would like to know whether it had established a subcommittee specializing in the rights of the child, and if so, how it was funded.

27. As the budget for education, health and social welfare services accounted for about only 5 per cent of gross domestic product (GDP), whereas the defence budget represented 20 per cent, it would be useful to know whether the State party intended to allocate more resources to child protection, ensure that the competent bodies received the amounts due to them and make public the annual State budget, thus far undisclosed.

28. Perhaps the delegation could also indicate whether the State party intended to allocate a proportion of public revenue to basic services for children, not least in the areas of housing, food, education and health.

29. **Ms. Varmah** (Country Rapporteur) asked what measures had been taken to make the Convention known among the population in general, and specifically among children, parents and professionals working with and for the benefit of children. It was regrettable that Myanmar had not followed up on the recommendations concerning the definition of the child (CRC/C/15/Add.237) formulated by the Committee during its consideration of the second periodic report. She wondered whether the new Child Act would still make a distinction between a child (up to the age of 16 years) and a youth (between 16 and 18 years) and would raise the minimum age of criminal responsibility from 7 years and the minimum age for employment from 13 years. Noting with concern that there was no minimum age of marriage for boys, that the marriage of girls as young as 14 was allowed with parental consent and that a child under 10 years of age was not considered sufficiently mature to be heard in judicial proceedings concerning family issues, wished to know whether the new Child Act would modify those provisions and on what date the Act would take effect.

30. She asked whether the Government had taken steps to eliminate discrimination against poor children, children with disabilities, children from minorities or with low-status citizenship and those from remote and border areas. She would appreciate information about the steps taken to apply the principle of the best interest of the child in the implementation of laws, policies, programmes and administrative and judicial decisions. Since children were unable to express their views within the family, at school, before the courts and in society at large, she wondered whether any measures had been taken to raise public awareness of children's right to express their views and to be heard.

31. She was concerned that a third of births went unregistered and that there were not enough activities to raise awareness of the importance of registering births. Unfortunately, the registration system was neither easy to access nor user-friendly, and it was highly centralized and not entirely free. It would be useful to learn what concrete steps were envisaged to put an end to that situation, to which the Committee had already drawn the Government's attention in 2004, and on the registration of Rohingya children and the Muslim population of Northern Rakhine State. Were those peoples recognized under the Constitution and did the Government intend to amend the Citizenship Act to recognize them as part of the country's population? The delegation might also elaborate on measures taken to prevent cases of statelessness.

32. She would like to know why the Rohingya population could not obtain birth certificates even though they were registered with the local authorities, why it was that Muslim couples had to sign an undertaking to have no more than two children and what would happen if a third child was born. The delegate might also elaborate on the status of blacklisted children and children born out of wedlock, and the exact number of unregistered children. It would also be useful to know the current situation regarding the protection of the right to privacy in judicial proceedings and why corporal punishment was not prohibited in all places. What programmes had been introduced to alert parents, teachers and other persons working with children of the need to use positive disciplinary measures.

33. **Mr. Kotrane** asked whether Myanmar planned to ratify in the near future the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138); the ILO Worst Forms of Child Labour Convention, 1999 (No. 182); and other international human rights instruments to which Myanmar was still not party. He also wished to know what had happened to Aung Ko Htay, a 16-year-old child soldier sentenced to death in 2010 for the killing of a soldier. He would like to know whether Myanmar was considering lifting restrictions on the freedom of opinion and expression and of association and assembly, if all children currently had the opportunity to participate in public life, if measures would be taken to ensure that children were heard within the family and before the courts and whether they would have greater access to the Internet and the press?

34. **Ms. Sandberg** said that she was deeply concerned by the treatment of religious minorities, essentially Christians and Muslims, subjected to discrimination and marginalization and by the fact that in some public schools, children had had to convert to Buddhism.

35. **Mr. Guráň** asked whether the Government intended to create a body to coordinate the activities of all human rights township commissions. He noted with concern that the Act to establish an independent human rights body had still not entered into force and that the body did not conform to the Paris Principles since its members were still working or had worked for the regime. Lastly, what measures had been taken to allow children to be heard and to participate in decisions involving them?

36. **Mr. Gastaud** asked whether associations and groups of children and young persons had been consulted during the drafting of the report.

37. **Ms. Nores de García** asked whether there were plans to issue free identity cards to all persons under 18 years of age, including those in remote communities, and to remove any mention of race, minority, origin and religion from the identity card.

38. **Ms. Al-Asmar**, observing that children could be part only of governmental agencies, asked whether the Government was considering legalizing pupil associations. Also, what had happened to the 14-year-old boy arrested for transporting pro-democracy books?

39. **Ms. Maurás Pérez**, welcoming the establishment of a new constitutional framework, asked how Myanmar intended to fund all the plans mentioned by the delegation. She also wished to know whether Myanmar planned to create a budget clearly demonstrating the link between resources-related programmes, in particular through a system of indicators, follow-up and assessment, for which the Government should request the assistance of UNICEF and the United Nations Development Programme.

40. She would also be grateful for further information on how the considerable revenue generated by the energy sector was used. She recalled that human rights were often violated in that sector and that its activities had grave implications for health, the environment and quality of life. In view of the development of large-scale projects such as the Tashan hydroelectric power plant and the Myitsone dam, she wondered whether any measures had been taken to protect human rights and whether it was envisaged to regulate companies' activities to prevent any form of human rights violation and ensure that persons affected by the activities, in particular children, reaped their benefits.

41. **Mr. Koompraphant** asked what measures had been taken to put an end to the detention and torture of students who opposed the authorities, the penalties faced by those who had committed such deeds, and the number of prosecutions.

42. **Ms. Lee**, recalling that few changes had been made since the consideration of the second periodic report in 2004, asked what was done to guarantee children's rights to be taught and express themselves in their own language and to express their culture in a country with some 100 local languages. With reference to paragraph 52 of the Government's written replies to the list of issues, the delegation might specify the four fundamental duties of teachers, other than that of protecting students from danger.

43. **Ms. Al-Shehail** said that she wished to know what was done to ensure that the religious precepts of Islam were correctly interpreted so that girls would no longer be subjected to the restrictions and rules currently imposed on them.

44. **Mr. Madi**, evoking the situation of Muslims in Northern Rakhine State, who were neither foreigners nor nationals, asked whether there were plans to adopt measures to clarify their legal status.

The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.

45. **Ms. Thein** Thein Htay (Myanmar) explained that since the ratification of the Convention on the Rights of the Child in 1991, Myanmar had adopted measures to register children and issue birth certificates. The Central Statistical Office, with the assistance of UNICEF, compiled and registered the data collected by the Ministry of Health, which in turn was responsible for registering births and issuing birth certificates. With the collaboration of local communities and township authorities, the Office taught health workers how to use the registration form and they, in cooperation with health professionals, were responsible for registering births.

46. The birth registration system covered the entire country, including rural and remote areas. But the country's geography denied some groups of people access to it. According to the results of the most recent Multiple Indicator Cluster Survey conducted in 2009 and 2010, a third of children under 5 years of age were not registered and had no birth certificate. The Department of Health had held several meetings with the sub-working group on the registration of births to try to analyse the different factors which impeded birth registration.

47. **Ms. Nores de García** asked whether the new birth certificate issued to families mentioned the child's origin, race or religion.

48. **Ms. Thein** Thein Htay (Myanmar) said that in general the information mentioned was the parents' names, address and nationality. She would check whether religion and race appeared on the document and give the Committee a reply at the following meeting.

49. **Ms. Varmah** asked whether the birth registration system also applied to Rohingya children. According to the information available to the Committee, they did not have birth certificates.

50. **Ms. Thein** Thein Htay (Myanmar) said that the birth registration system applied to all children born in the country, without discrimination on grounds of religion or race. Once a woman had given birth, whether she had been assisted by a midwife or not, she would be required to notify a midwife, who would write up the details of the birth on a form which the Township Medical Service would subsequently sign.

51. **Mr. Madi** asked the delegation to comment on information received by the Committee to the effect that children born out of wedlock were blacklisted.

52. **Ms. Wijemanne** said that she had received reports that about 60 per cent of women gave birth with the assistance of trained medical staff, while the figure was as low as 43 per cent in some areas. If there was a connection between the registration of births and the presence of a midwife, then the figures might explain why the level of registration was so low.

53. **Ms. Thein** Thein Htay (Myanmar) said that the Government was trying to address the problem and was committed to increasing the number of pregnant women benefiting from antenatal care and giving birth with the assistance of a midwife.
54. **Ms. Wijemanne** said that persons who did not declare the birth of their child since they had no access to the services of a midwife were from marginalized groups of the population, and the issue of their marginalization should be addressed.
55. **Ms. Sandberg** said that, as she understood it, the term “blacklisted babies” applied to babies born to parents who had not received official authorization to marry and also to the third baby of couples who did not have the right to have more than two children. Was the system prohibiting families from having more than two children still in force?
56. **The Chairperson**, speaking in his capacity as Country Rapporteur, said that besides inadequate infrastructure and poor health coverage, which explained why a certain percentage of births had not been recorded, there was also a problem of discrimination against minorities who were unable to register the birth of their children because of the system itself or bureaucratic obstacles. What were the authorities’ plans for ensuring that all children born in the country could be registered?
57. **Ms. Thein** Thein Htay (Myanmar) said that the sub-working group on the registration of births had decided that community awareness of the importance of registering births should be promoted. To address the shortage of midwives, the authorities were endeavouring, with UNICEF support, to put forward a mechanism that made volunteers and other members of the community responsible for notifying a midwife of new births in their community.
58. Myanmar had never had a policy of restricting the number of children in a family to two. Its policy in respect of reproductive health explicitly stated that parents were free to decide the number of children they wished to have. Parents who practised family planning did so of their own volition, as agreed between them.
59. **The Chairperson**, speaking in his capacity as Country Rapporteur, said he understood that the “two-child policy” was applied in the State party in the Muslim region where the Rohingyas lived; they needed permission to marry and then to pledge not to have more than two children, which was tantamount to controlling births within that minority.
60. It was the State’s responsibility to set up an effective birth registration system as the midwife-based system did not work well.
61. **Ms. Sandberg** asked whether the marriage authorization system was still in operation.
62. **Mr. Maung Wai** (Myanmar) said that there was a considerable gap between the actual situation in Myanmar and the international community’s understanding. The current problems in Northern Rakhine State were due to illegal immigration. Myanmar was a secular State in which politics were separated from religion. There was no discrimination on grounds of race, religion or sex, especially against the Rohingya Muslims.
63. **Ms. Aidoo** asked whether “Rohingyas” was the actual designation the State party gave to that group of people.
64. **Mr. Maung Wai** (Myanmar) said that the people were called Bengalis, not Rohingyas. Myanmar had over 130 national races – the term the Government preferred to “ethnic groups”, which had discriminatory overtones.
65. **Ms. Maurás Pérez** asked how that community identified itself.
66. **Mr. Maung Wai** (Myanmar) said that he was unsure how to answer that question, but that the Rohingyas were not one of the national races of Myanmar.

67. **Mr. Aung Tun Khaing** (Myanmar) said that there were plans to compensate farmers with homes and fields in zones affected by the projects to build a hydroelectric power plant on the Salween River, a deep-sea port in Dawei (Tanintharyi division) and a gas pipeline between Kyaukpyu (Rakhine State) and China. Programmes for capacity-building, agricultural training, family support and social development were set up for inhabitants of the affected rural zones, where there were also plans to build various structures, including a number of schools, and early childhood development centres.

68. **Mr. Bo Win** (Myanmar) said that his country had 161 universities and other higher-education establishments, 64 of them run by the Ministry of Education, and the rest by other ministries. There were over 41,000 elementary schools run by the Ministry of Education. The education budget increased each year. For 2009 and 2010, it represented 4.2 per cent of Government expenditure. In 2009, primary-school education had become free and compulsory, and at the beginning of the 2012/13 academic year an education bursary programme would be introduced at all levels of education.

69. **The Chairperson**, speaking in his capacity as Country Rapporteur, said that in 2009 the education budget represented less than 1 per cent of GDP, well below the standards in neighbouring countries, such as the Lao People's Democratic Republic. What proportion of GDP was currently allocated to education?

70. **Mr. Maung Wai** (Myanmar) said that his country was still a developing country with significant financial and technical constraints and, as such, could not be compared with its neighbours.

71. **Ms. Lee** said that the country's future was in the hands of the children of today. It was therefore necessary to invest in education and health services: an education budget of some 0.6 per cent of GDP would not be sufficient.

72. **Ms. Aidoo** said that in 2009, gas sales had earned the State 3 billion dollars. According to information available to the Committee, whereas Myanmar had invested less than 2 per cent of its GDP in the social sector, it was allocating vast sums to the military. If the State did not now allocate enough funds for health, education and social services, it would later bear responsibility for poor social development. It was therefore vital to review the structure of the national budget.

73. **Mr. Maung Wai** (Myanmar) said that gas revenue had been invested in upgrading infrastructure. A major motorway had been built between Yangon and Mandalay, allowing a travel time of 5 hours between the two cities as opposed to the previous 14, which was a very significant economic development for the country.

74. **Ms. Thein Thein Htay** (Myanmar) added that Parliament would soon be holding a meeting specifically devoted to the budget and, without any doubt, emphasis would be placed on health and education. There were already plans to double the budget for both those sectors in 2012 and then to increase it annually until it reached 5 per cent of GDP in 2015.

75. **Mr. Maung Wai** (Myanmar) explained that although the official language of Myanmar used in the courts and for official documents was Birman, children had the right to use their mother tongue at school. Owing to the large number of languages spoken in Myanmar, it was unfeasible to provide education in each of them, but the Minister of Education was setting up classrooms intended for extracurricular instruction in regional languages.

76. **Ms. Lee** asked whether the Convention had been translated into the local languages.

77. **Mr. Maung Wai** (Myanmar) replied that the Convention had already been translated into six languages.

78. **Mr. Aung Tun Khaing** (Myanmar) explained that the National Human Rights Commission was responsible for receiving and investigating complaints of violations of the human rights guaranteed by the Constitution and to follow them up and communicate its conclusions to the competent authorities, which would take the necessary corrective measures.

79. The Commission was also responsible for assessing the enjoyment of rights recognized by international instruments to which Myanmar was party, determining the advisability of acceding to various international instruments, and participating in the drafting of reports submitted to United Nations human rights mechanisms.

80. The Commission was also tasked with conducting human rights awareness-raising campaigns in the country. It was completely independent of the Government and was initiating relationships with other human rights promotion bodies in ASEAN countries.

81. The Commission had initially received public funding, but hoped in the future to receive financial support from foreign donors.

82. **The Chairperson** asked how long the Commission had existed, how many members it had and how they were appointed. He also wished to learn more about its funding and whether it included a child rights unit.

83. **Mr. Maung Wai** (Myanmar) replied that the Commission, in operation since October 2011, had 15 members and was authorized to hear complaints from all citizens. It did have a unit responsible for receiving and addressing children's complaints.

84. **Ms. Varmah** said that she had learned that local decrees required members of the Rohingya minority to seek official authorization, subject to a fee, before marrying and to pledge to have no more than two children. If couples failed to comply with those provisions, their relationship was deemed unlawful and they were subject to heavy penalties of up to 10 years in prison. Unmarried Rohingya women who became pregnant would often have no option but to resort to a backstreet abortion — which endangered their health — to give birth abroad or to abandon their babies. The delegation might indicate whether those reports were true.

85. Taking note of the 1939 Registration of Kittima Adoptions Act, which provided for three types of adoption but stipulated that only Buddhists were permitted to adopt children, she asked the reason for the discrimination between Buddhists and non-Buddhists and whether the State party intended to amend the laws and procedures on adoption to bring them into line with the Convention. Also, did Myanmar intend to accede to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption?

86. She also wished to know whether children from minority groups and rural areas had access to basic services, social aid, and education, and whether children from ethnic minorities had the opportunity to be educated in their own language and receive higher education.

87. Drawing attention to the fact that less than 2 per cent of the budget was devoted to health services, she expressed concern that figures for infant and child mortality and chronic malnutrition and the percentage of underweight children were very high. What measures did the State party intend to take to increase the proportion of the budget spent on health and social welfare?

88. The delegation should also specify whether there were plans to set up a hotline to receive complaints from children subjected to ill-treatment, and provide more details on the forthcoming census. It might also elaborate on the treatment of street children and measures taken to help them rejoin their families and prevent them from becoming victims of forced labour.

89. **Ms. Lee** asked until what age school was compulsory, because she had received reports that 19 per cent of children left school before the end of the first year. Furthermore, there were apparently less than 2,000 technical secondary schools in Myanmar, which, in her view, was not enough. More information would be welcome. She also wished to know whether school uniforms were still paid for by parents, and expressed concern that teachers' salaries were far too low.

90. **Mr. Pollar** asked what steps the State party had taken to comply with its obligations under article 38 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. According to the Secretary-General's 2011 report on children and armed conflict (A/65/820-S/2011/250), there were eight groups in armed conflict in the country and 10 per cent of the children involved had been recruited by members of Government forces.

91. He asked what measures had been taken to protect civilians, in particular children, and to conclude local agreements for the removal of children from besieged areas, and for the passage of humanitarian aid and health assistance. He also wondered how the State party protected schools and hospitals catering to a large number of children and whether children placed in detention were separated from adults.

92. He was concerned about reports of summary executions, arbitrary arrests and the imposition of the death penalty on children, and would appreciate the delegations' comments. The delegation might also elaborate on the minimum age of military recruitment, the rehabilitation services available to children involved in armed conflicts, as well as the clearance of anti-personnel mines.

93. **Mr. Cardona Llorens**, pointing out that the Convention recognized that children were subjects of rights and should therefore benefit from special protection, said that the current reality in Myanmar far from reflected that principle. The age of criminal responsibility, set at 7 years of age, was much too low, and it was worrying to discover that it might be raised to 10. By the same token, in Myanmar the age of civil majority was 16, whereas the Convention set it at 18. It was worrying to read in the report that children "of a perverted character" who had violated the Narcotic Drugs and Psychotropic Substances Act, had been sentenced to death or life imprisonment, as was the fact that the country only had two juvenile courts. It would be timely to review the juvenile criminal justice system. Also, did child victims and witnesses receive special protection appropriate to their age?

94. Commending Myanmar on the ratification of the Convention on the Rights of Persons with Disabilities, he asked whether children with disabilities attended regular schools or specialized schools.

95. **Ms. Wijemanne**, noting with concern the high infant mortality and malnutrition rate, requested more information on measures to promote the practice of breastfeeding. She wished to know whether the State party planned to increase the health budget to improve obstetric care and combat malaria, diarrhoea and tuberculosis, diseases that each year cost the lives of many children, and what was being done to improve adolescent health, especially with regard to HIV/AIDS and drug addiction prevention.

The meeting rose at 1 p.m.