



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Thirty-second session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding observations: Haiti**

1. The Committee considered the initial report of Haiti (CRC/C/51/Add.7), submitted on 3 April 2001, at its 854th and 855th meetings (see CRC/C/SR.854 and 855), held on 27 January 2003, and at its 862nd meeting, held on 31 January 2003, adopted the following concluding observations.

**A. Introduction**

2. The Committee notes with appreciation the submission of the State party's initial report. However, the written replies to its list of issues (CRC/C/RESP/18) only partly addressed the Committee's questions. The Committee appreciates the presence of a delegation, but regrets that it did not include anyone directly involved in the implementation of the Convention.

**B. Positive aspects**

3. The Committee welcomes:

(a) The adoption of the 2001 Law prohibiting the use of corporal punishment within the family and in schools;

(b) The establishment of the National Committee for the Education of Girls to enhance the enrolment of girls in education.

### **C. Factors and difficulties impeding the implementation of the Convention**

4. The Committee acknowledges that the external debt, the devaluation of the gourde, the high unemployment rate, the unstable political situation and the limited availability of financial and skilled human resources have had a negative impact on social welfare and on the situation of children and have seriously impeded the full implementation of the Convention. The Committee also notes that the implementation of the Organization of American States resolutions and the return to a political stability are essential prerequisites for overseas development assistance which have been suspended.

### **D. Principal subjects of concern and recommendations**

#### **1. General measures of implementation**

##### **Legislation**

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

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

**(a) Undertake all necessary steps to finalize the harmonization of existing legislation with the Convention;**

**(b) Adopt, as a matter of urgency, a comprehensive code on children that will reflect the general principles and provisions of the Convention;**

**(c) Ensure the implementation of its legislation.**

##### **Coordination**

7. The Committee notes the establishment of an Inter-Ministerial Commission (*Commission de réflexion*) in charge, inter alia, of coordinating the work of governmental bodies involved in the implementation of the Convention. However, the Committee is concerned that this Commission is not operational. In addition, the Committee notes that the Social Welfare and Research Institute (*Institut du bien-être social et de recherche - IBESR*) is a key institution in the implementation of the Convention, but remains concerned that this body is not fully operational due to limited human and financial resources.

8. **The Committee recommends that the State party establish, as a matter of urgency, a body with the clear mandate to coordinate all activities related to the implementation of the Convention, and with the necessary powers and human and other resources to fulfil its**

**mandate in an effective manner at the national, regional and local levels. The Committee further recommends that the State party take all necessary measures to allow the Social Welfare and Research Institute to carry out its functions at the national, regional and local levels.**

#### **National plan of action**

9. Although the State party is developing some sectoral plans, e.g. in the area of health, the Committee is concerned at the lack of a comprehensive national strategy or plan of action for the implementation of the Convention.

10. **The Committee encourages the State party to develop a comprehensive national plan of action for the implementation of the Convention incorporating the objectives and goals of the outcome document entitled “A World Fit for Children” of the United Nations General Assembly special session on children. In this regard, the State party should seek technical assistance from the United Nations Children’s Fund (UNICEF) and involve civil society in the preparation and implementation of such a national plan of action.**

#### **Independent monitoring structures**

11. The Committee notes the establishment of the Ombudsman Office (*Office de la Protection du Citoyen, OPC*), but regrets that this body is not fully operational and that there is no independent monitoring mechanism with a mandate that includes the power to receive and address individual complaints of violations of the rights of the child.

12. **The Committee encourages the State party to consider the establishment of an independent national human rights institution, taking into account the Committee’s General Comment No. 2 on national human rights institutions, to monitor and evaluate progress in the implementation of the Convention at the national and local levels. In addition, the Committee recommends that the institution be allocated adequate human and financial resources and that its mandate include the power to receive and investigate complaints of violations of child rights in a child-sensitive manner, and to address them effectively. The Committee encourages the State party to seek technical assistance from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF.**

#### **Resources for children**

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

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

#### **Data collection**

15. The Committee is concerned at the absence of reliable data and the lack of an adequate data collection system.

16. **The Committee recommends that the State party develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, and urban and rural area. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable. It further encourages the State party to use these indicators and data in the formulation of policies and programmes for the effective implementation of the Convention. The Committee recommends that the State party seek technical assistance from, inter alia, UNICEF and the United Nations Development Programme.**

#### **Civil society non-governmental organizations (NGOs)**

17. NGOs play de facto an important role in awareness-raising and service provision in areas like health and education. Nevertheless, the Committee is concerned that the State party has not developed a well-structured, systematic cooperation with NGOs and that it does not evaluate the activities of such organizations.

18. **The Committee recommends that the State party establish a well-structured, systematic cooperation with NGOs to set clear minimum standards for the service providing activities regularly and make sure that they are given the necessary follow-up.**

#### **Training/dissemination of the Convention**

19. The Committee is aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention. However, the Committee is of the opinion that these measures need to be strengthened. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

20. **The Committee recommends that the State party:**

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

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

**(c) Seek technical assistance from, among others, OHCHR and UNICEF.**

## **2. Definition of the child**

21. The Committee is concerned about the difference in the minimum legal age of marriage of girls (15 years) and boys (18 years).

**22. The Committee recommends that the State party raise the minimum legal age of marriage of girls to that of boys.**

## **3. General principles**

23. The Committee is concerned that the general principles contained in the Convention, namely the right to non-discrimination (art. 2), the best interests of the child (art. 3), the right of the child to life, survival and development (art. 6) and respect for the views of the child (art. 12), are not fully integrated into the State party's legislation and administrative and judicial decisions, or in policies and programmes relevant to children at both national and local levels.

**24. The Committee recommends that the State party appropriately integrate the general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

### **Non-discrimination**

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

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

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

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

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

27. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of the Committee's General Comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).**

#### **Best interests of the child**

28. The Committee is concerned that the principle of the best interests of the child is not fully recognized and implemented in the relevant legislation and in decisions relevant to children. The Committee is especially concerned that the existing legislation, as referred to in the State party's report (para. 51), allows parents to send their children to prison for a period of up to six months, without the involvement of a court or similar body, which constitutes a violation of article 37, paragraph (d), of the Convention. However, the Committee welcomes the information that this rule is rarely applied in practice.

29. **The Committee recommends that the State party ensure that the principle of the best interests of the child is reflected in all relevant legislation, policies, programmes and otherwise in the implementation of the Convention. The Committee particularly recommends that the State party abolish the rule of "correction paternelle", which allows parents to place a child in prison.**

#### **Respect for the views of the child**

30. The Committee notes that the Decree of 12 December 1960 provides for the right of children to express themselves in the family; however, it is concerned that children's opinions are not given sufficient consideration and that respect for the views of the child remains limited within the family, at schools, in the courts and before administrative authorities and in the society at large.

31. **The Committee encourages the State party to ensure that children's views are given due consideration, in accordance with article 12 of the Convention, in the family, at schools, in the courts, and in all relevant administrative and other processes concerning them through, inter alia, the adoption of appropriate legislation, the training of professionals and the establishment of specific activities at schools.**

#### **4. Civil rights and freedoms**

##### **Birth registration**

32. The Committee welcomes the 1995 Decree, which allows for late birth registration, but remains concerned at the large number of children whose birth is not being registered. The Committee is further concerned at the fees which parents have to pay for a birth certificate of their children.

33. **In the light of article 7 of the Convention, the Committee urges the State party to strengthen its efforts to ensure that all children are registered at birth, including through awareness-raising campaigns, to consider facilitating procedures of birth registration, notably by suppressing any fees and decentralizing the system, and to take measures to register those who were not registered at birth.**

##### **Right to identity**

34. The Committee is concerned that children born out of wedlock are denied the right to know the identity of their father (article 306 of the Civil Code).

35. **In the light of article 7 of the Convention, the Committee recommends that the State party take the necessary measures, including the repeal of article 306 of the Civil Code, to ensure, as far as possible, respect for the child's right to know his or her parents' identities.**

##### **Ill-treatment and other forms of violence**

36. The Committee welcomes the Act prohibiting corporal punishment (August 2001) within the family and at schools, but remains concerned at the persistent practice of corporal punishment by parents or teachers and the ill-treatment of child domestics (*restaveks*). The Committee is further deeply concerned about instances of ill-treatment of street children by law enforcement officers.

37. **The Committee recommends that the State party:**

(a) **Take all necessary measures for the effective implementation of the law prohibiting corporal punishment, in particular by making use of information and education campaigns to sensitize parents, teachers, other professionals working with children and the public at large to the harm caused by corporal punishment and to the importance of alternative, non-violent forms of discipline, as foreseen in article 28, paragraph 2, of the Convention;**

**(b) Investigate in an effective way reported cases of ill-treatment of children by law enforcement officers and ensure that alleged offenders are transferred from active duty or suspended while they are under investigation, dismissed and punished if convicted;**

**(c) Provide for the care, recovery and reintegration of child victims.**

## **5. Family environment and alternative care**

### **Separation from parents**

38. The Committee is particularly concerned about the high number of children who are separated from their parents. The Committee is further concerned at the fact that the views of the child are not taken into consideration when such a decision is taken and that the Social Welfare and Research Institute does not carry out a periodic review of placement of all children separated from their parents.

39. **In the light of articles 9, 12, 20 and 25 of the Convention, the Committee recommends that the State party:**

**(a) Ensure that a child shall not be separated from his or her parents against their will, unless such separation is in the best interests of the child and if it has been decided by a competent authority, subject to judicial review;**

**(b) Ensure that a child who is temporarily or permanently deprived of his or her family environment is entitled to special protection and assistance;**

**(c) Ensure that the child is given an opportunity to participate in the proceedings and that he or she can make his or her views known;**

**(d) Undertake all necessary efforts to allow the Institute for Social Welfare and Research to carry out a periodic review of placement of all children separated from their parents, whether in institutions or in foster families.**

### **Adoption**

40. The Committee is concerned at the increase in intercountry adoptions without an adequate monitoring mechanism.

41. **The Committee recommends that the State party:**

**(a) Ratify the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993;**

**(b) Undertake efforts to enhance its capacities to monitor intercountry adoptions so as to ensure full observance of article 21 and other relevant provisions of the Convention.**

## **Violence, abuse and neglect**

42. The Committee is concerned at the high incidence of violence against and abuse of children within the family environment, including sexual abuse and neglect of children, and that insufficient efforts have been made to protect children. The Committee is particularly concerned at the very high rate of sexual abuse of girls (more than one third of women were sexually abused before the age of 15 years). In addition, the Committee is concerned at the lack of statistical data and a comprehensive plan of action, and the insufficient infrastructures.

43. **In the light of articles 19 and 39 of the Convention, the Committee recommends that the State party:**

**(a) Assess the scope, nature and causes of violence against children, in particular sexual violence against girls, with a view to adopting a comprehensive strategy and effective measures and policies and to changing attitudes;**

**(b) Properly investigate cases of violence, through a child-sensitive judicial procedure, notably by giving appropriate weight to children's views in legal proceedings, and apply sanctions to perpetrators with due regard given to guaranteeing the right of the child to privacy;**

**(c) Provide services for the physical and psychological recovery and social reintegration of girl victims of sexual abuses and any other children victims of abuse, neglect, ill-treatment, violence or exploitation, and take appropriate measures to prevent the criminalization and stigmatization of victims;**

**(d) Take into consideration the recommendations of the Committee adopted at its days of general discussion on the theme "Violence against children" (CRC/C/100, para. 688 and CRC/C/111, paras. 701-745);**

**(e) Seek technical assistance from, among others, UNICEF and the World Health Organization (WHO).**

## **6. Basic health and welfare**

44. The Committee welcomes the efforts undertaken by the State party in the area of basic health and welfare, such as the Extended Vaccination Programme, the adherence to the Integrated Management of Childhood Illness, the Baby Friendly Hospital Initiative and the promotion of breastfeeding, but remains deeply concerned at the high infant, under-five and maternal mortality rates and low life expectancy in the State party. The Committee also remains concerned that access to health services in the rural areas is limited, and that the survival and development of children in the State party continue to be threatened by early childhood and infectious diseases, diarrhoea and malnutrition. The Committee is further concerned at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural areas.

**45. The Committee recommends that the State party by, inter alia, implementing as soon as possible its National Health Plan:**

**(a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;**

**(b) Facilitate greater access to primary health services, notably in rural areas; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; and continue to promote proper breastfeeding practices;**

**(c) Continue its immunization campaigns and incorporate them into the Integrated Management of Childhood Illness;**

**(d) Establish midwifery training programmes to assure safe home delivery;**

**(e) Pursue additional avenues for cooperation and assistance for the improvement of child health with, among others, WHO and UNICEF.**

#### **Adolescent health**

46. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particularly vulnerable situation of girls, given, for instance, the very high percentage of early pregnancies. In that respect, the Committee is particularly concerned at the high incidence of illegal abortions with the inevitable attendant risks to health and life.

**47. The Committee recommends that the State party:**

**(a) Undertake all necessary measures to formulate adequate adolescent health policies and programmes, paying particular attention to adolescent girls;**

**(b) Strengthen sexual and reproductive health education, mental health and adolescent-sensitive counselling services and make them accessible to adolescents.**

#### **HIV/AIDS**

48. The Committee notes the adoption of the HIV National Strategic Plan, but is extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children, more particularly at the high incidence of children infected at birth and at the number of children orphaned by HIV/AIDS. The Committee is further concerned at the lack of knowledge among adolescents on how to prevent HIV/AIDS in spite of real efforts of the State party to raise awareness on this issue.

49. **The Committee recommends that the State party:**

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

(b) **Urgently take measures to prevent mother-to-child transmission, inter alia, by combining it with the activities to reduce maternal mortality, and take adequate measures to address the impact upon children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to family life, adoption, emotional care and education;**

(c) **Strengthen its efforts to raise awareness about HIV/AIDS among adolescents, particularly among those belonging to vulnerable groups;**

(d) **Seek further technical assistance from, among others, the Joint United Nations Programme on HIV/AIDS.**

#### **Children with disabilities**

50. The Committee notes that a colloquium, held in 1999, adopted recommendations regarding children with disabilities to be implemented by the State party, but remains concerned at the absence of a comprehensive strategy for children with disabilities, at the lack of data and at the insufficient measures taken by the State party to ensure effective access of these children to adequate health services, education and social services, and to facilitate their full inclusion in society. The Committee is also concerned about the small number of well-trained professionals working with and for children with disabilities.

51. **The Committee recommends that the State party:**

(a) **Develop a comprehensive strategy, including the necessary plans of action, for children with disabilities;**

(b) **Collect data on disabled children in order to review their situation in terms of their access to suitable health care, education services and employment opportunities;**

(c) **Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339);**

(d) **Allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;**

(e) **Seek assistance from, among others, UNICEF and WHO.**

## **7. Education, leisure and cultural activities**

52. The Committee notes the adoption of the National Education and Training Plan and the establishment of a Pilot Committee for its implementation. The Committee further welcomes the increasing budget allocated to education, as well as the establishment of the National Committee for the Education of Girls. However, the Committee is concerned at the still low enrolment ratios, and the disparities in enrolment between girls and boys and between rural and urban areas. The Committee is further concerned at the very limited number of public schools and at the low quality of education reflected in the high repetition and drop-out rates, which are attributable mainly to the lack of appropriate training for teachers (paragraph 192 of the State party's report). The Committee is also concerned that pregnant girls are excluded from schools. Finally, the Committee is concerned that education is principally run by the private sector (*ibid.* para. 184), while supervision by the State through the National Partnership Commission is very limited.

53. **In the light of articles 28 and 29 and other relevant provisions of the Convention, the Committee recommends that the State party:**

**(a) Expedite an effective implementation of the National Education and Training Plan;**

**(b) Continue its efforts to ensure that all children, especially girls, have equal access to educational opportunities, paying special attention to those living in rural and remote areas;**

**(c) Take the necessary measures to guarantee access to adapted and adequate curricula designed for vulnerable children like street children, *restaveks* and over-age children or adolescents;**

**(d) Take the necessary measures to identify the causes of the high repetition and drop-out rates in primary schools and take steps to redress the situation;**

**(e) Better monitor the school curricula and the quality of education in private schools;**

**(f) Introduce, strengthen and systematize human rights education, including the rights of the child, into school curricula, beginning in primary school;**

**(g) Provide teachers with adequate training;**

**(h) Review its policy to ensure leadership in the governance of the education sector, notably by widening the powers of the National Partnership Commission;**

**(i) Seek technical assistance from, among others, the United Nations Educational, Scientific and Cultural Organization and UNICEF.**

## 8. Special protection measures

### Economic exploitation

54. The Committee is deeply concerned at the high number of under-age children involved in labour who are working long hours, which has a negative effect on their development and school attendance.

55. **The Committee recommends that the State party:**

**(a) Strengthen the implementation of its labour laws and increase the number of labour inspectors;**

**(b) Ratify International Labour Organization (ILO) Conventions Nos. 138 concerning the Minimum Age for Admission to Employment and 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;**

**(c) Seek technical assistance from, inter alia, ILO.**

56. The Committee is deeply concerned at the situation of child domestic workers (*restaveks*), in particular at the low age (12 years) retained in article 341 of the Labour Code at which children can be placed with families, taking into account that, in practice, even younger children are concerned. The Committee notes with concern that these children, most of them girls, are forced to work long hours under harsh conditions and without any financial gains, and are subjected to ill-treatment and abuse, including sexual abuse.

57. **The Committee recommends that the State party urgently:**

**(a) Repeal article 341 of the Labour Code and ensure observance of the minimum age for employment set at 15 years;**

**(b) Take all the necessary measures to prevent and end under-age employment through a comprehensive strategy, notably by holding debates and awareness campaigns, providing guidance and support to the most vulnerable families, and addressing the root causes of the phenomenon;**

**(c) Properly investigate cases of violence, through a child-sensitive judicial procedure, and apply sanctions to perpetrators;**

**(d) Ensure that *restaveks* are offered services for their physical and psychological recovery and social reintegration, including access to education.**

### Street children

58. The Committee expresses its concern at the increasing number of street children and at the lack of a systematic and comprehensive strategy to address this situation and to provide these

children with adequate protection and assistance. In addition, the Committee is concerned that these children are used for the perpetration of offences and that some of them have disappeared.

59. **The Committee recommends that the State party:**

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

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

(c) **Investigate the disappearances of street children;**

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

#### **Trafficking of children**

60. The Committee is deeply concerned at the high incidence of trafficking of children from Haiti to the Dominican Republic. The Committee is concerned that these children once they are separated from their family are forced to beg or to work in the Dominican Republic.

61. The Committee recommends that the State party take all necessary measures to prevent the trafficking of Haitian children to the Dominican Republic. In particular, the Committee recommends that the State party conclude an agreement with the Dominican Republic for the repatriation of trafficked children to Haiti and for tightening border controls. The Committee recommends that the State party continue to seek assistance from, inter alia, UNICEF and the International Organization for Migration.

#### **Children in conflict with the law**

62. The Committee notes that the administration of juvenile justice is governed by the Act of 7 September 1961 and the Decree of 20 November 1961, but the Committee remains concerned that a juvenile justice system does exist only in Cap Haitien and Port-au-Prince. The Committee is also concerned that children may stay a long time in pre-trial detention, at the failure to separate children from adults in places of detention (with the exception of the Fort National, in Port-au-Prince), about allegations of ill-treatment by law enforcement officers, and about the conditions of detention of minors. The Committee is further concerned at the very limited possibilities for the rehabilitation and reintegration of juveniles following judicial proceedings and at the sporadic training of judges, prosecutors and prison staff.

63. **The Committee recommends that the State party take the necessary steps to reform the legislation concerning the system of juvenile justice, in line with the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including 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), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System.**

64. As part of this reform, the Committee particularly recommends that the State party:

(a) Undertake all necessary measures to ensure that juvenile courts are established and trained juvenile judges appointed in all regions of the State party;

(b) Consider deprivation of liberty as a measure of last resort and for the shortest possible period of time, limit by law the length of pre-trial detention, and ensure that the lawfulness of this detention is reviewed by a judge without delay and regularly thereafter;

(c) Provide children with legal and other assistance at an early stage of the procedure;

(d) Provide children with basic services (e.g. schooling);

(e) Protect the rights of children deprived of their liberty and improve the conditions of detention and imprisonment, notably by establishing special prisons for children with conditions suitable to their age and their needs and by ensuring the availability of social services in all detention centres in the country, and in the meantime by ensuring that children are separated from adults in all prisons and pre-trial detention places throughout the country;

(f) Request technical assistance in the area of juvenile justice and police training from, among others, OHCHR and members of the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

## **9. Optional Protocols**

65. The Committee notes that the State party has signed but not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

66. The Committee recommends that the State party ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

## **10. Dissemination of documents**

67. The Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party 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 thereon adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.**

#### **11. Next report**

**68. In the light of the recommendation on reporting periodicity adopted by the Committee and described in the report on its twenty-ninth session (CRC/C/114), the Committee underlines the importance of a reporting practice that is in full compliance with the provisions of article 44 of the Convention. An important aspect of States parties' responsibilities to children under the Convention is ensuring that the Committee has regular opportunities to examine the progress made in the implementation of the Convention. In this regard, regular and timely reporting by States parties is crucial. As an exceptional measure, in order to help the State party catch up with its reporting obligations in full compliance with the Convention, the Committee invites the State party to submit its second and third periodic reports in one consolidated report by 7 July 2007, date on which the third report is due. The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.**

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