



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty-fourth session

16 September–4 October 2013

Item 4 of the provisional agenda

Consideration of reports of States parties

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

List of issues in relation to the initial report of China (CRC/C/OPAC/CHN/1)

The State party is requested to submit in writing, additional updated information (15 pages maximum), if possible before 1 July 2013.

The Committee may take up all aspects of children's rights contained in the Optional Protocol during the dialogue with the State party.

1. Please provide information as to which Government department or body has primary responsibility for the implementation of the Optional Protocol and in which way such body coordinates among relevant authorities, civil society, academia, the media and other partners to enforce and raise awareness on the principles and provisions of the Optional Protocol.
2. In light of the information provided in paragraph 16 of the State party's report that the State Council and the Central Military Commission set out that 17-year-old students graduating from ordinary high schools in 2009 could also be recruited if they wished, please clarify how does the State party ensure that article 3 of Optional Protocol on the involvement of children in armed conflict is respected, including as concerns the verification of the voluntary nature of recruitment and the age of recruits.
3. With reference to paragraph 55 of the State party's report concerning the enrolment of 'young students in military colleges and schools' by the Cadre Department of the General Political Department in conjunction with other relevant State and military departments, please specify the age group these schools and colleges cater to, the minimum age limit for entry into any of these institutions and if they also recruit students under 18 years. If so, please provide more information on the curriculum, including on military training and if parents have the right to oppose these recruitments.
4. Please clarify if there is an independent complaints mechanism accessible by children in the military colleges and schools or if other mechanisms exist to monitor the welfare of, and investigate complaints by children in such programmes.

5. Please clarify whether the legislation of the State party fully criminalizes all the offences covered by the Optional Protocol, including the recruitment and use of children in hostilities by non-State armed groups.
 6. With reference to paragraph 6 of the State party's report, please provide further information on the 'militia organizations', the law governing them and their relationship with the national armed forces. Please also specify the minimum age for recruitment into the militias and the how the minimum age is verified and enforced.
 7. With reference to paragraph 89 of the State party's report which describes the way in which the principles of juvenile justice are upheld in military courts, please clarify whether these principles are codified, and if so, please provide translated copies to the Committee. Please also provide:
 - (a) Details of the jurisdiction of the military courts to try juveniles;
 - (b) The number of minors charged in military tribunals for the years 2010, 2011 and 2012, charges against them, and outcomes.
 8. Please inform the Committee about the existence of any mechanisms for the early identification of child refugees, asylum seekers or migrants who may have been recruited or used in hostilities. Kindly provide information on the steps taken to provide for their physical and psychological recovery and rehabilitation and to promote their reintegration into society.
 9. Please indicate whether national legislation prohibits the trade and export of arms, including small arms and light weapons, as well as military assistance to countries where children are involved in armed conflict.
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