



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty-sixth session

26 May–13 June 2014

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined third and fourth periodic reports of India

The State party is requested to submit in writing additional, updated information, if possible before 1 March 2014.

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

Part I

In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).

1. Please provide updated information on measures taken to guarantee the implementation of the Prohibition of Child Marriage Act in all states of the State party.
2. Please provide detailed information on the definition of the child in all national and federal legislation affecting children.
3. Please provide information on measures taken to ensure the effective implementation of the State party's anti-discrimination laws, particularly for girls, children with disabilities, children in irregular migration situations, children of ethnic minorities, and children from Scheduled Castes and Scheduled Tribes, including the Dalits and Adivasis.
4. Please provide information on measures taken to ensure that priority is given to the right of the child to have his or her interests taken as a primary consideration in all areas of the legislative, executive and judicial mechanisms and procedures of the State party. In doing so, please provide specific details on measures taken to guarantee this right for children whose parents are involved in criminal proceedings, specifically in sentencing and cases involving capital punishment.
5. Please provide updated information on the large-scale Posco steel plant and port in Odisha. In doing so, please provide detailed information on any measures taken to ensure adequate safeguards for guaranteeing compliance with the Convention and international human rights standards in the project.

6. Please provide detailed information on any measures taken to ensure that legislation and procedures relating to surrogate birth are compliant with the Convention, particularly articles 3, 6, 7, 8, 9, 19, 21 and 35.
7. Please provide updated information on measures taken by the State party to include children with disabilities in all its programmes for all children in a manner that is consistent with the rights set out in the Convention. In doing so, please indicate measures taken to provide for the inclusive education of children in full compliance with the principle of reasonable accommodation.
8. Please provide updated details on measures taken to implement the Reproductive, Maternal, Newborn, Child and Adolescent Health (RMNCH+A) Strategic Plan and monitor its implementation. In doing so, please indicate measures taken to address infant and maternal mortality.
9. Please provide updated information on measures taken to prevent and treat undernutrition. In doing so, please provide information on any mechanisms in place for regular and updated monitoring and evaluation of these measures.
10. Please provide detailed information on the reporting procedures and enforcement mechanisms for the Pre-Conception and Pre-Natal Diagnostic Techniques Act. In doing so, please provide updated details on the number of cases registered under this Act in 2011 and 2012.
11. Please provide updated information on the implementation of the Right of Children to Free and Compulsory Education Act 2009 with respect to guaranteeing children between 6 and 14 years of age free, mandatory and quality education. Please also provide information on measures taken to ensure the provision of early childhood care and education at local levels, particularly for children below 3 years of age.
12. Please provide information on measures taken to address child labour. In doing so, please provide information on national programmes for the rehabilitation of children subject to child labour. Please also provide information on measures taken to combat the trafficking of children for labour at state and national levels.
13. Please provide updated information and details on national legislation regarding persons and children in refugee and/or asylum-seeking situations.
14. Please provide information on measures taken to ensure the effective implementation and periodic evaluation of the Juvenile Justice Act. In doing so, please also provide details on the non-institutional care options and the timeline for the implementation of measures relevant to the Act.
15. Please provide detailed and updated information on measures taken to ensure that child victims and witnesses of crimes, including sexual abuse, are provided with the protection required by the Convention and appropriate reporting and support procedures and mechanisms.

Part II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;

- (c) Recently introduced policies, programmes and action plans and their scope and financing; and
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please specify the number of children with disabilities, up to the age of 18, disaggregated by age, sex, geographic location, socioeconomic background and type of disability, including mental and psychosocial disabilities, covering the years 2011–2013:
 - (a) Living with their families;
 - (b) Living in institutions;
 - (c) Placed in foster care;
 - (d) Attending mainstream schools with inclusive education;
 - (e) Attending special schools; and
 - (f) Not attending school.
 2. Please provide statistical data on the number of:
 - (a) Children abandoned by parents under the “cradle baby scheme” in the State party;
 - (b) Children who have been victims of ill-treatment and abuse, as well as the number of complaints, investigations, prosecutions and convictions in this regard;
 - (c) Children who have been victims of sexual abuse and exploitation, including victims of trafficking, as well as the number of complaints, investigations and prosecutions carried out in this regard;
 - (d) Children who have been victims of child marriage, as well as the number of complaints, investigations and prosecutions carried out in this regard;
 - (e) Working children, disaggregated by age, sex, geographic location and socioeconomic background;
 - (f) Children in institutional care, including information on the reasons for their placement in institutional care; and
 - (g) Refugee, asylum-seeking children and/or children in otherwise irregular migration situations currently subject to detention.
 3. Please provide the Committee with an update to any data in the report which may have been superseded by more recent data collected or other new developments.
 4. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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