



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Fifty-ninth session

16 January – 3 February 2012

### Implementation of the Convention on the Rights of the Child

#### List of issues concerning the combined third and fourth periodic reports of Myanmar (CRC/C/MMR/3-4)

**The State party is requested to submit additional, updated information in writing, if possible before 1 October 2011.**

*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 indicate whether the State party has amended its 1993 Child Law to be fully in conformity with the Convention, and in particular whether the State party has:
  - (a) Raised the age of majority of a child;
  - (b) Raised the minimum age of criminal responsibility;
  - (c) Raised the minimum age at which the child is allowed to work;
  - (d) Established a minimum age for marriage of boys;
  - (e) Increased the minimum age for marriage of girls (14 years with parental consent).
2. Please clarify the composition, role and mandate of the National Committee on the Rights of the Child. Please describe its activities in all sectors related to the Convention since 2008, indicate whether these activities cover the whole country, and specify the Committee's mandate and activities in the sectors of education, health and social welfare. Please also indicate whether the Committee has the authority and necessary resources to coordinate the activities related to the implementation of the Convention.
3. Please indicate steps taken towards decentralization, in particular regarding health and social services that would allow local authorities to respond better to local needs.

4. Please provide information on the human, technical and financial resources allocated for the implementation of the National Plan of Action for Children (2006-2015). Please indicate whether a mechanism has been established to monitor its implementation at national and sub-national level.
5. Please indicate which measures the State party intends to take to ensure that appropriate funding is provided to health and education and to monitor activities in these sectors.
6. Please indicate the measures taken to combat discrimination against girls and vulnerable children such as children from ethnic and religious minority groups (including Rohingya children), children from remote and border areas, internally displaced children, children in street situations, children affected by HIV/AIDS, children with disabilities, orphans and poor children.
7. Please also provide information on the measures which have been taken to raise awareness of children about the dangers of landmines and to locate and clear landmines.
8. Please provide further information on the concrete measures taken to ensure full birth registration in accordance with the Convention and to ensure that children are provided with birth certificates, especially children belonging to ethnic groups and children living in rural and remote areas.
9. Please indicate which measures have been taken to ensure that children enjoy their right to freedom of expression and assembly, as well as their right to access to appropriate information.
10. Please comment on the information that children have been arrested for political reasons and have been subjected to torture in detention. Please indicate recent steps taken to ensure that the system of juvenile justice is in conformity with the Convention. Please also provide information on the steps taken to ensure the enforcement of the law providing that a child should not be punished by death.
11. Please indicate the steps taken to assess the scope, nature and causes of violence against children. Please also indicate whether measures have been taken to eradicate all forms of violence against children including abuses and corporal punishment in schools, Residential Care Facilities and within the family.
12. Please provide information on the legal basis for separating children from their parents and placing them in Residential Care Facilities. Please also indicate the legal provisions applicable to the functioning and monitoring of public and private Residential Care Facilities for children deprived of a family environment and the measures in place to reunify children with their families.
13. Please indicate the steps taken to protect children and their families from the effects of large-scale development projects resulting, inter alia, in forced eviction of people from their homes and communities as well as any negative impact on health and the environment. Please also indicate whether such measures will be taken in the case of the hydroelectric projects presently being studied on Salween River and in Kachin State, the gas pipeline projects from Sittue into China and into India, and the Dawer Deep Sea Project.
14. Please provide information on the impact of armed conflict on children in the State party and the steps taken to reach national reconciliation. Please provide information on measures taken to remove obstacles placed on United Nations agencies to access children in conflict-affected areas.
15. Please provide information on the impact of recent efforts made by the State party to prevent and halt the recruitment and use of child soldiers in the military forces. Please

indicate the steps taken to systematize disciplinary processes against military personnel and civilians involved in child recruitment. Please also indicate steps taken to prevent and halt the recruitment and use of child soldiers in non-State armed groups.

16. Please indicate whether the State party has developed a comprehensive national plan of action or taken recent measures to prevent and combat all forms of economic exploitation of children, including forced labour.

17. Please provide information on the measures taken since 2006 to combat all forms of trafficking.

18. Please indicate whether there are children among the Rohingya communities who were arrested in March-April 2011 and detained for having attempted to leave the State party. If so, please indicate the charges under which the children are being held, and what steps have been taken to release them.

19. Please indicate the steps taken to make statistical data on children available, published, accessible and used.

## Part II

**Please indicate whether the new government plans to ratify international human rights instruments, in particular the Optional Protocols to the Convention on the Rights of the Child, as well as other international conventions.**

## Part III

### **Data, statistical and other information, if available:**

1. Please provide statistical data on the number of children with disabilities in the State party disaggregated, inter alia, by age, sex, type of disability and origin, and on the percentage of children with disabilities attending regular education.

2. Please provide statistical data and research findings for 2008, 2009 and 2010, if available, on the number of cases of child abuse. In particular, please provide data (disaggregated by age, sex, ethnic background and geographical location) on the number of:

- (a) Child victims of sexual exploitation, including prostitution and pornography;
- (b) Child victims of trafficking;
- (c) Child victims of sexual abuse;
- (d) Child victims of violence;
- (e) Children who were provided access to recovery and social reintegration services, specifying the type of services;

(f) Trials against the perpetrators of such offences and the outcomes of those proceedings.

3. Please provide, if available, statistical data (disaggregated by nationality, age, sex, ethnic origin, geographic location, and socio-economic status) for the period 2008- 2011 on:

- (a) The number of children detained on the territory of the State party;
- (b) The number of children sentenced by the courts and the average length of imprisonment;

(c) The number of children sentenced to death;

(d) Reported cases of abuse or ill-treatment of children that occurred during arrest or detention of children in conflict with the law.

4. Please provide, if available, statistical data (disaggregated by nationality, age, sex, ethnic origin, geographic location, socio-economic status and type of economic activity) on the number of children involved in child labour.

5. 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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