



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Thirty-seventh session**

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

**Concluding observations: Equatorial Guinea**

1. The Committee considered the initial report of Equatorial Guinea (CRC/C/11/Add.26), submitted on 12 September 2003, at its 989th and 990th meetings (see CRC/C/SR.989 and 990), held on 24 September 2004, and adopted at the 999th meeting (CRC/C/SR.999), held on 1 October 2004, the following concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the State party's initial report, as well as the detailed written replies to its list of issues (CRC/C/Q/GNQ/1), which gave a clearer understanding of the situation of children in the State party. It nevertheless regrets that the initial report was submitted almost 10 years after its due date. It further notes with appreciation the high-level delegation sent by the State party and welcomes the constructive and frank dialogue.

**B. Positive aspects**

3. The Committee notes with appreciation:

(a) The establishment of a National Plan of Action for Children (1992) and a National Children's Rights Committee (1997);

(b) The Adoption of the Education Law (1995) establishing compulsory, free and guaranteed primary school and the Labour Act regulating child labour (1990);

(c) The adoption and implementation of a National Plan on Education for All, which resulted in some improvements in education;

- (d) The ratification of:
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in February 2003;
  - The Worst Forms of Child Labour Convention, 1989 (No. 182), in 2001;
  - The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in 2003;
  - The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, in 1997.

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

4. The Committee notes that the State party became independent in 1968 and that only recently (1992) has it initiated a process of democratization. The Committee also notes that the State party continues to face serious economic, social and political challenges, including the poor economic conditions in which most of the population live and the persistence of traditional attitudes and behaviours that hinder the implementation of the rights of the child.

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

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

##### **Legislation**

5. The Committee notes the efforts undertaken by the State party to examine the compatibility of the domestic legislation with the Convention and that the Constitution and some laws have been adopted to harmonize the existing legislation with the Convention and other international human rights standards. It also welcomes the information that a new Family Code is being prepared in a consultative process. However, the Committee is concerned about the effective implementation of the existing laws and that in some cases newly enacted legislation does not fully reflect the principles and provisions of the Convention or other international human rights standards. It also raises concern about the fact that some customary laws are incompatible with the principles and provisions of the Convention. The Committee is particularly concerned about the application on a subsidiary basis of a number of Spanish laws dating back to the period before independence.

**6. The Committee recommends that the State party continue and complete its efforts to draft a new Family Code and ensure that the new Code as well as the other laws are in full conformity with the principles and provisions of the Convention and other international human rights standards, and that national laws prevail over conflicting customary laws. The Committee also recommends that the State party ensure the effective implementation, dissemination and publication of the new laws and amendments to existing ones. It further recommends that the State party repeal or amend all provisions of Spanish law that are incompatible with the Convention.**

### **National Plan of Action**

7. **While the Committee notes the adoption of a National Plan of Action for Children 1992-2000, it is concerned at the lack of information about a new National Plan of Action for Children.**

8. **The Committee recommends that the State party develop and implement a new comprehensive National Plan of Action for Children aiming at the realization of the principles and provision of the Convention and which takes into account “A world fit for children”, the outcome of the special session of the General Assembly held in May 2002.**

### **Coordination**

9. While the Committee notes the establishment of the National Children’s Rights Committee (CNDN) in 1997 and its role in the coordination and evaluation of the implementation of the Convention, it is concerned at the fact that the Committee is not effectively functioning. The Committee is also concerned at the lack of coordination of the State party’s activities at the level of ministries and between the national and local levels.

10. **The Committee recommends that the State party reconsider the composition of the CNDN - as well as of its provincial and district committees - by ensuring its intersectoral and multidisciplinary nature and NGO participation, and provide it with adequate financial and human resources. It also recommends that the State party create within its administration a body in charge of coordinating all the activities for the implementation of the Convention, both at the interministerial level and between the national and local levels. Finally, the Committee recommends that the State party undertake measures to improve the capacity and quality of the civil service, particularly in relation to the implementation of the Convention. The State party should seek technical and other assistance in this regard from, inter alia, UNICEF.**

### **Independent monitoring**

11. The Committee is concerned at the absence of an independent mechanism with a mandate to regularly monitor and evaluate progress in the implementation of the Convention and which is empowered to receive and address individual complaints.

12. **In light of its General Comment No. 2 on national human rights institutions and the Paris Principles (General Assembly resolution 48/134, annex), the Committee encourages the State party to undertake all necessary measures to develop and establish an independent and effective mechanism, provided with adequate human and financial resources and easily accessible to children, that monitors the implementation of the Convention, deals with complaints from children in a child-sensitive and expeditious manner and provides remedies for violations of their rights under the Convention.**

### **Resources for children**

13. While the Committee welcomes the State party’s commitment made in 1997 to allocate 40 per cent of all its oil revenues to the social sector, it regrets that the necessary measures have not been taken to fully meet this commitment. It also regrets the lack of

information about the budget allocated to social expenditures for children, including for health, welfare and education, at the central and local levels. The Committee is concerned that budgetary allocations are insufficient to respond to national and local priorities for the protection and promotion of children's rights.

**14. The Committee urgently recommends that the State party meet as soon as possible its commitment made in 1997 and spend 40 per cent of all its revenues on the social sector. The Committee also recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, in particular those belonging to economically disadvantaged groups, "to the maximum extent of ... available resources and, where needed, within the framework of international cooperation".**

#### **Data collection**

15. The Committee regrets the lack of comprehensive and up-to-date statistical data in the State party's report.

**16. The Committee recommends that the State party develop a system of disaggregated data collection covering all areas of the Convention and ensure that all data and indicators are used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention. The State party should consider seeking technical assistance in this regard, inter alia, from UNICEF.**

#### **Cooperation with civil society**

17. The Committee is concerned about the limited number of NGOs working for the promotion and protection of the rights of the child and about the reported low level of cooperation between the Government and the national civil society organizations in this regard. It is also concerned about existing legislation (e.g. Law No. 1 of 1999) that seems to limit NGO activities.

**18. The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, and recommends that the State party promote closer cooperation with NGOs, review related legislation and consider involving international NGOs, especially rights-based ones, and other sectors of civil society working with and for children more systematically throughout all stages of the implementation of the Convention.**

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

19. In the light of the State party's statement in the report that a large part of the population is unaware of the Convention, the Committee is concerned about the lack of information on activities to disseminate the principles and provisions of the Convention, and on training activities undertaken by the State party for teachers, judges, police officers, officials at correctional institutes.

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

(a) **Undertake public awareness campaigns aimed at children, parents and the public in general, informing them about the content of the Convention and the ways it can be implemented;**

(b) **Develop systematic education and training programmes on the provisions of the Convention for all professionals working with and for children (e.g. teachers, judges, lawyers, parliamentarians, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, health personnel including psychologists and social workers).**

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

21. The Committee notes that the State party's legislation sets 18 years old as the age of majority, but is concerned about the application of the Spanish laws from before 1968 with regard to the minimum legal age for criminal responsibility and marriage. It is also concerned about the young age at which girls can marry according to traditional customs and about the high number of girls who do marry early.

22. **The Committee recommends that the State party review the age limits set by different legislation affecting children, in particular the Spanish laws from before 1968, to fully ensure that they are in conformity with the principles and provisions of the Convention. The Committee also recommends that the State party take all necessary measures to prevent illegal, early and/or forced marriages.**

## **3. General principles**

### **Non-discrimination**

23. The Committee is concerned that societal discrimination and cultural practices persist against vulnerable groups of children, in particular girls, children born out of wedlock, children with disabilities, children belonging to ethnic minorities and children from poor and rural families, and that the measures taken to prevent and combat this discrimination are insufficient.

24. **The Committee recommends that the State party increase its efforts to ensure the implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and adopt a proactive and comprehensive strategy, including through awareness-raising, to change attitudes and values and eliminate discrimination on any grounds and against all vulnerable groups, in particular girls and children from poor and rural families.**

25. **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 Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of General Comment No. 1 on the aims of education.**

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

26. The Committee is concerned that in actions concerning children, the general principle of the best interests of the child contained in article 3 of the Convention is not always a primary consideration, in particular in a number of Spanish laws from before 1968, which the State party continues to apply on a subsidiary basis.

27. **The Committee recommends that the State party review its laws, policies and practices to ensure that article 3 of the Convention is duly reflected therein and that this principle is taken into account when administrative, policy, court or other decisions are made. It further recommends that the State party collaborate with local authorities, NGOs and community leaders to develop awareness-raising campaigns regarding the general principle of acting in the best interest of the child.**

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

28. The Committee notes with concern that little attention is given to the views of the children in the family and in the adoption of public policies, and that traditional practices and attitudes still limit the full implementation of article 12 of the Convention, in particular for girls.

29. **The Committee recommends that the State party take all necessary measures, e.g. amending its legislation, to fully reflect article 12 of the Convention so that any child “who is capable of forming his or her own views” can express those views freely. It also recommends that the State party develop a nationwide campaign to increase public awareness of the participatory rights of children, particularly at the local levels and in traditional communities, and encourage respect for the views of the child in families, schools, and the care and judicial systems.**

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

#### **Birth registration**

30. The Committee notes the efforts undertaken by the State party regarding the registration of births, but remains concerned about the very low percentage of births that are registered and about the lack of a functional registration system, as well as at the low level of public awareness of the obligation to register children at birth.

31. **In light of article 7 of the Convention, the Committee urges the State party to continue and strengthen, as a matter of priority, its efforts to ensure a coordinated system for the registration of all children at birth, covering the whole of the country, including through awareness-raising campaigns, as well as to continue its cooperation in this regard with, inter alia, UNICEF.**

### **Freedom of expression and access to information**

32. The Committee is concerned at the information that freedom of expression and opinion is limited in the State party as well as at the lack of libraries, and about the limited information it received concerning the practical implementation of articles 13-17 of the Convention.

33. **The Committee recommends that the State party continue and strengthen the promotion of freedom of expression in schools and other places, inter alia by means of student publications and other means. It also recommends that the State party increase the number and quality of libraries and consider the establishment of mobile libraries freely accessible for children, and that it provide the Committee with more concrete and detailed information on the implementation of articles 13-17 of the Convention in its next report.**

### **Corporal punishment**

34. The Committee is concerned that corporal punishment is not expressly prohibited by law and is widely practised and socially accepted. It also notes with concern the lack of available data on ill-treatment of children, including corporal punishment, beating and depriving children of their liberty as a punishment.

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

(a) **Expressly prohibit corporal punishment by law in the family, schools and other institutions;**

(b) **Carry out public education campaigns about the negative consequences of ill-treatment of children and promote positive, non-violent forms of discipline as an alternative to corporal punishment;**

(c) **Seek technical assistance from, among others, UNICEF in this regard.**

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

36. The Committee is concerned at the weakening of family support for children, which is also demonstrated by the fact that less than 50 per cent of children live with both parents due to various factors including urbanization, very-large-scale poverty, the increase of HIV/AIDS, a deterioration of traditional solidarity and a high level of promiscuity.

37. **The Committee recommends that the State party continue and strengthen its efforts, including via the Ministry of Social and Women's Affairs, to give priority to the development and implementation of adequate measures to support vulnerable families, such as single-parent families.**

### **Alternative care**

38. While the Committee welcomes the existence in the country of institutions where the many orphans in the State party can be accommodated, as well as the information that a new one is under construction, it recalls that the institutionalization of children should always be a temporary measure of last resort, professionally indicated and in the best interests of the child. It is also concerned about the lack of information on the systematic review of the situation of children living in these institutions.

39. **The Committee recommends in this regard that the State party:**

(a) **Ensure children are placed in institutions only following proper judicial proceedings and that children in institutions maintain contact with their parents or other caregivers, and that it facilitate, when possible, return of institutionalized children to their families or extended families;**

(b) **Adequately regulate the placement of children in institutions and ensure periodic reviews of placement, in light of article 25 of the Convention. It also recommends that the State party increase the support services and financial assistance for foster care families;**

(c) **Provide adequate training to judges, caregivers and other professionals.**

### **Parental responsibility**

40. The Committee is concerned that some customary laws automatically grant parental authority to the father in the event of parental separation or divorce.

41. **The Committee recommends that the State party ensure that when judicial proceedings or family councils decide to grant one parent custody of the child, the decision be taken based on the principle of the best interests of the child and with the child expressing his/her views. The State party should also ensure that both parents have common responsibilities for the upbringing and development of the child and receive adequate legal and other assistance in this regard, and that they are adequately informed of their rights and responsibilities, particularly in the case of separation or divorce.**

### **Adoption**

42. The Committee is concerned about the lack of appropriate domestic legislation regulating adoption procedures in accordance with article 21 and other relevant provisions of the Convention, and the lack of information on the practices of domestic and intercountry adoption.

43. **The Committee recommends that the State party take the necessary legislative and other measures to ensure that the laws and regulations on adoption are in conformity with article 21 and other provisions of the Convention and consider the ratification of the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. It further recommends that the State party provide specific information on the practices of domestic and intercountry adoption in its next report.**



## **Abuse and neglect**

44. The Committee notes with concern information indicating a high level of tolerance of promiscuity in families, the lack of information available on child abuse in the family and that legislation for the protection of children from sexual abuse does not expressly prohibit sexual intercourse with minors that are the offender's natural children.

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

**(a) Undertake studies on domestic violence, ill-treatment and abuse (including sexual abuse within the family) in order to adopt effective laws, policies and programmes to combat all forms of abuse;**

**(b) Develop a national system for receiving, monitoring and investigating complaints and, when necessary, prosecuting cases in a manner that is child-sensitive and respects the victims' privacy;**

**(c) Reform legislation on child abuse in the family to expressly prohibit sexual abuse;**

**(d) Set up a comprehensive and nationwide response system that is designed to provide, where appropriate, support and assistance to both victims and perpetrators of family violence, rather than only intervention or punishment, and that ensures that all victims of violence have access to counselling and assistance with recovery and reintegration, while preventing stigmatization of victims of abuse;**

**(e) Seek technical assistance from, among others, UNICEF, in this regard.**

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

46. The Committee notes with appreciation the efforts undertaken by the State party to extend the coverage of the health and basic sanitation services. However, the Committee is very concerned that despite decreases in the infant mortality rate, under-five mortality rate and maternal mortality rate, these rates remain very high. It is further concerned at the high incidence of malnutrition and that significant numbers of poor families lack access to services, including safe drinking water and sanitation facilities, which contributes to the spread of communicable diseases. The Committee is also concerned about the weak levels of community participation in the promotion of health, and about insufficient budgetary allocations for health services.

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

**(a) Continue expanding access to health services, in particular in rural areas, and increase the competence of health personnel;**

**(b) Strengthen the implementation and coordination of existing health policies and programmes, in particular the National Action Plan (1992-2000), the Expanded Programme of Immunization, and the Drinking Water and Environmental Health programmes;**

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

**(d) Ensure the provision of adequate financial and human resources for the effective implementation of the health programmes.**

### **Children with disabilities**

48. The Committee is concerned at the absence of statistical data and a comprehensive policy for disabled children, who continue to face discrimination in particular with regard to their integration in society, access to education, health and participation in social and cultural life.

49. **In light 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), the Committee recommends that the State party:**

**(a) Take effective measures to collect adequate and disaggregated data on children with disabilities and use such data to establish a comprehensive policy and appropriate programmes and ensure that children's rights are adequately integrated into them;**

**(b) Undertake all necessary measures to combat discriminatory attitudes towards children with disabilities, particularly amongst children and parents, and promote their participation in all aspects of social and cultural life;**

**(c) Formulate a strategy that includes appropriate teacher training, to ensure that all children with disabilities have access to education and, wherever possible, that they are integrated into the mainstream education system;**

**(d) Undertake awareness-raising campaigns to sensitize the public, and parents in particular, about the rights and special needs of children with disabilities;**

**(e) Allocate further resources for special education, including vocational training, and for the support given to families of children with disabilities;**

**(f) Seek technical cooperation for the training of professional staff working with and for children with disabilities from, inter alia, UNICEF and WHO.**

### **HIV/AIDS**

50. The Committee welcomes the efforts undertaken by the State party to address the spread of HIV/AIDS, e.g. the National Programme to fight HIV/AIDS, which provides for free and universal antiretroviral medication, but remains very concerned at the increasing prevalence of HIV/AIDS amongst adults (mainly women) and youth and the increasing number of children orphaned by HIV/AIDS. The Committee is concerned at the lack of alternative care for these children.

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

(a) **Increase its efforts to prevent the spread of HIV/AIDS, taking into account the Committee's General Comment No. 3 on HIV/AIDS and the rights of the child and the International Guidelines on HIV/AIDS and Human Rights;**

(b) **Strengthen its measures to prevent mother-to-child transmission, inter alia through coordination with the activities aimed at reducing maternal mortality;**

(c) **Pay particular attention to children who are infected themselves or who have become orphans because of HIV/AIDS, by providing adequate psychological and material support involving the community;**

(d) **Strengthen or establish campaigns and programmes to raise awareness about HIV/AIDS among adolescents, particularly among those belonging to vulnerable groups, as well as among the population at large, so as to reduce discrimination against children infected and affected by HIV/AIDS;**

(d) **Ensure the provision of adequate financial and human resources for the effective implementation of the National Programme on HIV/AIDS;**

(e) **Seek further technical assistance from, inter alia, UNAIDS.**

#### **Standard of living**

52. Given the significant growth rate of the gross domestic product in the State party, the Committee is deeply concerned about the persistence of widespread poverty and the still large number of children who do not enjoy the right to an adequate standard of living, including adequate housing and other basic services.

53. **In accordance with article 27 of the Convention, the Committee recommends that the State party develop and implement, as a matter of high priority, an effective national plan for the reduction of poverty, including the provision of support and material assistance to economically disadvantaged families, and guarantee the right of the child to an adequate standard of living. The Committee also recommends that the State party seek international cooperation and assistance whenever necessary.**

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

54. The Committee notes the adoption of the Education Law (1995) and welcomes the establishment of the National University of Equatorial Guinea (1995) and the State party's efforts to increase enrolment rates in primary education, e.g. through the National Plan on Education for All. However, it is concerned that enrolment and literacy levels are still low, particularly in secondary and pre-primary education, and that there is a significant disparity between the number of boys and girls attending school. It also notes with concern the persistence of cultural and traditional perceptions of girls that limit their access to education. The Committee is also concerned about the lack of financial and material resources for the implementation of the educational programmes and about the lack of trained teachers.

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

(a) **Continue its efforts to reform the educational system, e.g. by adopting the Law on the Educational Reform (*Ley Reglamentaria de la Reforma Educativa*);**

(b) **Continue to strengthen measures aimed at increasing enrolment rates in primary and basic education, in particular for girls;**

(c) **Expand public provision of early childhood education and increase the number of trained pre-school teachers, and raise awareness amongst parents about the value of early childhood education;**

(d) **Strengthen and expand efforts at teacher training and expand recruitment of qualified teachers, in particular women and persons from all ethnic groups for education in mother tongue programmes;**

(e) **Include human rights education as part of the curriculum;**

(f) **Undertake an analytical study of children who drop out of school and those who are repeaters, with a view to formulating appropriate strategies to remedy these problems;**

(g) **Ensure the provision of adequate financial and human resources for the effective implementation of the educational programmes, in particular the National Plan on Education for All;**

(h) **Seek technical assistance from UNESCO and UNICEF.**

## **8. Special protection measures**

### **Economic exploitation**

56. The Committee welcomes the State party's ratification of ILO Conventions No. 138 and No. 182 in 2001 and takes note of the adoption in 2004 of the new law against smuggling of migrants and trafficking in persons. Nevertheless, it remains concerned at the significant number of children, especially girls, working on the street and as domestic servants and about the lack of effective implementation of the labour laws and mechanisms to control child labour.

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

(a) **Undertake a survey of the number of children working, including as domestic servants and in the agricultural sector, in order to design and implement comprehensive strategies and policies to prevent and combat economic exploitation in these sectors;**

**(b) Ensure the implementation of legislation fully covering article 32 of the Convention and ILO Conventions No. 138 and No. 182, taking due account of the Minimum Age Recommendation, 1973 (No. 146), the Worst Forms of Child Labour Recommendation, 1999 (No. 190) and the comments made by the ILO Committee of Experts on the Application of Conventions and Recommendations;**

**(c) Undertake awareness-raising campaigns to prevent and combat the economic exploitation of children;**

**(d) Strengthen cooperation with countries from which cross-border child labour originates in order to combat the economic exploitation of those children;**

**(e) Seek assistance from the International Programme on the Elimination of Child Labour (ILO/IPEC) and UNICEF, among others.**

### **Sexual exploitation and trafficking**

58. The Committee is concerned at the growing number of child prostitutes in the streets of the State party's capital. It is also concerned that the State party's report lacks specific data on sexual exploitation and trafficking of children and information on legislation on sexual exploitation.

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

**(a) Undertake a study of the sexual exploitation of children in order to assess its scope and causes, enable effective monitoring of the problem and develop measures and programmes, including social reintegration programmes, to prevent, combat and eliminate it;**

**(b) Develop and adopt a national plan of action against sexual exploitation and trafficking of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;**

**(c) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner that respects the privacy of the victim;**

**(d) Seek technical assistance from among others, UNICEF, ILO and WHO.**

### **Juvenile justice**

60. The Committee is deeply concerned about the lack of a juvenile justice system in the country. In particular, the Committee is concerned about the lack of juvenile courts and about the detention of persons below 18 with adults, in very poor conditions and without access to basic services.

61. **The Committee recommends that the State party ensure the full implementation of juvenile justice standards, and in particular articles 37, 40 and 39 of the Convention, as well 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, and of the recommendations of the Committee made at its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238). In this regard, the Committee recommends that the State party, in particular:**

- (a) Set up independent and effective juvenile courts;**
- (b) Limit by law the length of pre-trial detention and ensure that the lawfulness of such detention is reviewed by a judge without delay and regularly;**
- (c) Improve the conditions of detention and imprisonment of persons below 18, notably by establishing special institutions for them with conditions suitable to their age and needs;**
- (d) Investigate, prosecute and punish any case of mistreatment committed by law enforcement personnel, including prison guards, and establish an independent, child-sensitive and accessible system for the receipt and processing of complaints by children;**
- (e) Ensure that children deprived of their liberty remain in regular contact with their families while in the juvenile justice system, notably by informing parents when their child is detained;**
- (f) Request technical assistance in the area of juvenile justice and police training from, inter alia, OHCHR and UNICEF.**

## **9. Optional Protocols to the Convention on the Rights of the Child**

62. **The Committee notes that the State party has not ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.**

63. **The Committee recommends that the State party ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.**

## **10. Follow-up and dissemination**

### **Follow-up**

64. **The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament and to provincial or State governments and parliaments, when applicable, for appropriate consideration and further action.**

## **Dissemination**

65. The Committee further recommends that the initial report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

### **11. Next report**

66. In 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 on the Rights of the Child has regular opportunities to examine the progress made in the Convention's implementation. 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 so as to be in full compliance with the Convention, the Committee invites the State party to submit its second, third and fourth reports in one consolidated report by 14 July 2009, the due date for the submission of the third report. That report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.

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