



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-first session

11-29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined second and third periodic reports of Haiti

**The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2015.**

*The Committee may take up any aspects of children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to answer the following questions.**

1. Please provide information on measures taken to guarantee the effective implementation of all legislation in the area of children's rights, including the development of enforcement measures.
2. Please inform the Committee about the content of the 2007 National Action Plan for the Protection of Children. Please specify what resources have been allocated to the bodies involved in implementing this Plan, as well as the Strategic Plan for the Development of Haiti, the 2005-2010 National Strategic Plan for the Reform of the Health Sector, the 2003-2008 Strategic Child Health Plan (revised 2013), the 2002-2006 National Strategic Plan on HIV/AIDS, the 2012 National Strategic Plan to Reduce Maternal Mortality, the Family Reunification Programme and the Family Strengthening Programme. Please also indicate whether there are mechanisms in place to monitor and evaluate the effectiveness of these policies and programmes and the impact that the programmes have.
3. Please clarify the mandate of the various agencies involved in implementing the Convention and state what resources are allocated to them, in particular the Office of the Ombudsman, including the unit for the protection of children's rights, the Working Group on Child Protection, the Ministry of Social Affairs and Labour, the Brigade for the Protection of Minors, the Social Welfare and Research Institute, the Ministry of Education and Vocational Training and other bodies mentioned in paragraph 20 of the State party's report (CRC/C/HTI/2-3), in terms of the human, financial and technical resources available to them to implement children's rights in all relevant sectors and at



all levels — national, regional and local. Please also specify what mechanism exists for coordination among these various bodies.

4. Please also inform the Committee of steps taken to improve the collection of data on the implementation of the Convention.

5. Please tell the Committee what impact corruption has on the implementation of the various plans and programmes for children.

6. Please provide detailed information on measures taken to eliminate de facto discrimination against children belonging to disadvantaged or marginalized groups, such as girls, children with disabilities, children born out of wedlock, child domestic workers, child victims of trafficking, children of poor families, children in rural areas, children infected with or affected by HIV/AIDS, and street children.

7. Please inform the Committee about the results of the measures to encourage universal birth registration referred to in paragraph 76 of the State party's report. Please also indicate what measures have been taken to further raise awareness among parents and professionals of the importance of birth registration. Please provide information on the impact of transferring birth registers from local and rural areas to the capital and on steps taken to make it easier to issue birth certificates.

8. Please provide more information on the implementation of the Paternity, Maternity and Filiation Act.

9. In view of reports that 86 per cent of children have suffered some form of violence, please inform the Committee what action the State party has taken to completely abolish violence against children, including corporal punishment, in all situations. Please provide information on the impact of the 2001 and 2003 acts on corporal punishment and abuse in all situations, including within the family. Please also inform the Committee about measures taken to change the attitude that the way to instil discipline is through violence. Please indicate what mechanisms child victims of abuse and violence can turn to for protection and reparation.

10. Please indicate what specific measures have been taken to fight violence and sexual abuse and to rehabilitate victims, including within the framework of the National Action Plan for the Protection of Children. Please also specify what action is taken to arrest and prosecute those who commit acts of violence or sexual abuse and provide information on sentences handed down.

11. Please also provide information on sexual abuse of Haitian children by soldiers in peacekeeping operations and by the various international workers stationed in Haiti. Please tell the Committee what measures have been taken by the Government to protect and rehabilitate child victims.

12. Given that the phenomenon of family separation is common practice, please clarify what measures the State party has taken to prevent separations and to care for and protect children deprived of a family environment, including child domestic workers, children in institutions and street children. Please specify what measures are being taken to reunite these children with their families and to reintegrate them into society.

13. In the light of the Committee's previous recommendations on international adoption (see CRC/C/15/Add.202, paras. 40 and 41), the high number of children separated from their families, irregularities observed in 2012 and recent legal reforms, please provide information on the impact of the new legislation and of the measures taken by the Social Welfare and Research Institute. In this context, please also state what alternatives are envisaged to care for children who could not be adopted following the introduction of protection measures in the area of international adoption.

14. Please provide additional information on measures taken to combat the sale, trafficking and abduction of children and the impact thereof. Please provide information on the implementation of the memorandum of understanding signed on 25 July 2012 between the Directorate of Immigration and Emigration and the Social Welfare and Research Institute concerning the verification procedure to ensure that minors not accompanied by their biological parents have an exit permit issued by the Institute. Please state what impact these measures have had.
15. Please indicate the steps taken to include children with disabilities in the mainstream education system and in society by providing special training for teachers, educating parents, and making the physical environment, including schools, sports and leisure facilities, and all other public areas, accessible to such children. Please include information on specific action taken to include children with a mental or intellectual disability in the school system.
16. Please provide detailed information on the progress made by the State party in providing access to high-quality health services and to water and sanitation. Please also inform the Committee what steps have been taken to reduce infant and child mortality rates.
17. Please indicate what measures are being taken to ensure an adequate standard of living for children and to reduce poverty and inequality, for example by providing assistance in the areas of food, clothing and accommodation.
18. Please provide detailed information on which areas of the Operational Plan for the Haitian Educational System and the Programme for Free Compulsory Universal Education have been implemented and which have not. Please give details of the impact of measures taken since 2010 to improve the education system within the framework of the above Plan and Programme, among other things. Please state how many schools are covered by the Programme and what the impact of the Programme has been since 2011 on school attendance rates, repeat rates, academic success and entry to higher studies. Please give details of steps taken to improve the quality of education and to clear arrears in the payment of teachers' salaries.
19. Please inform the Committee about the impact of the various measures mentioned in the State party's report that have been taken to eliminate the worst forms of child labour, including the exploitation of child domestic workers, sexual exploitation of children, and the use of children by armed groups and in producing and trafficking drugs. Please give information on the implementation and status of the list of hazardous work drawn up by the Ministry of Social Affairs and Labour. Please also provide information on prosecutions brought and sentences handed down against those who exploit and abuse child domestic workers.
20. Please provide information on the steps taken to ensure that cases of children in conflict with the law are dealt with promptly and that such children are detained only as a last resort and for the shortest time possible. Please also inform the Committee about measures taken to ensure that children are not detained with adults and are provided with education and leisure activities throughout their detention. Please also inform the Committee what alternatives to detention exist for children in conflict with the law. Finally, please provide information on whether children's courts and judges are available.

## Part II

**In this section, the State party is invited to provide a brief update (no more than three pages) on the information presented in its report regarding:**

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### **Data, statistics and other information, if available**

1. Please provide consolidated budget information for the last three years on budget lines relating to children and the social sectors, expressing each budget line as a percentage of the total national budget and gross national product and indicating geographical distribution.
2. Please provide data for the last three years, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, on:
  - (a) The number of cases of abuse and violence against children, including all forms of corporal punishment and sexual abuse, with additional information on the type of assistance given to victims and the follow-up provided, particularly prosecutions brought against those responsible and sentences handed down;
  - (b) The number of cases of marriage of children under 18, disaggregated by age, sex and region, and the action taken;
  - (c) Stunting and malnutrition in infants and children;
  - (d) The number of children affected by or infected with HIV/AIDS;
  - (e) The number of child victims of sexual exploitation;
  - (f) The number of child victims of abduction, sale or trafficking.
3. With regard to the situation of children deprived of a family environment, please provide data for the last three years, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, on the number of children:
  - (a) Orphaned or separated from their parents;
  - (b) Living in street situations;
  - (c) Placed in institutions;
  - (d) Placed with foster families;
  - (e) Placed informally with their extended family or in other families;
  - (f) Adopted domestically or abroad.
4. Please provide data for the last three years, disaggregated by age, sex, type of disability, ethnic origin and geographical location, on the number of children with disabilities:
  - (a) Living with their families;

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- (b) Placed in institutions;
  - (c) Attending mainstream primary schools;
  - (d) Attending mainstream secondary schools;
  - (e) Attending special schools;
  - (f) Not attending school.
5. Please provide data for the last three years, disaggregated by at least age, sex, socioeconomic background and ethnic origin, on:
- (a) Enrolment and completion rates, disaggregated by sex and in percentages, for relevant age groups in pre-primary schools, primary schools and secondary schools;
  - (b) The number and percentage of dropouts and repetitions;
  - (c) The number of children attending private schools.
6. Please provide data for the last three years on social protection measures, disaggregated by age, sex, socioeconomic background and ethnic group, with regard to:
- (a) The number of children who work;
  - (b) The number of child domestic workers;
  - (c) The number of children employed in hazardous work.
7. Please provide data for the last two years, disaggregated by at least age, sex, ethnic origin and type of offence, on the number of children, including those between 16 and 18:
- (a) Who are suspected of committing an offence and have been reported to the police;
  - (b) Who have been convicted, with details of the type of sentence or penalty handed down and the length of any deprivation of liberty;
  - (c) Who are held in detention facilities for children or adults.
8. Please inform the Committee of any new data or any change in circumstances that may supersede the information contained in the report.
9. 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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