



Convention on the Rights of the Child

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Committee on the Rights of the Child

Fifty-sixth session

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Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the initial report of Afghanistan (CRC/C/AFG/1)

The State party is requested to submit additional, updated information in writing, and not exceeding 30 pages, if possible before 19 November 2010.

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

Part I

1. Please clarify the status of the Convention in the domestic legal system and in particular whether the Convention takes precedence over domestic law.
2. Please indicate whether the State party has plans to harmonize the multiple sources of law (civil, customary and sharia law) and review those that are incompatible with the Convention, in particular the provisions of the Shi'a Personal Status Law relating to the age of marriage.
3. Please indicate whether the State party intends to adopt a comprehensive children's law covering all the principles and provisions of the Convention.
4. Please provide updated information on the establishment of a Children's Secretariat, in particular on its status and on the human, financial and technical resources allocated to its functioning and clarify its mandate vis à vis the Commission referred to in paragraph 32 of the report. Please also indicate the measures taken to rationalize the mandates of the multiple ministerial child-related bodies and strengthen the work of the Child Protection Action Network (CPAN).
5. Please provide updated information on the progress achieved by the anti-corruption bodies referred to in paragraph 26 of the report in reducing the extensive corruption in the State party and its negative impact on the availability of resources for children.
6. Please provide detailed information on the targeted measures taken to eliminate traditional and cultural practices and gender-role stereotypes which contribute to the

persistent discrimination against girls in the State party and the gross violations of their rights. Please also inform the Committee of the specific action taken to combat harmful traditional practices such as the widespread practice of early marriage, the practice of “Baad” whereby parents hand over girls to settle disputes and the practice of marrying a girl to her rapist.

7. Please indicate whether the new regulation setting the standards and rules of the orphanages has been adopted for both public and private sectors. Please also provide information on the specific measures adopted to prevent and decrease the institutionalization of children, develop family-type and community-based alternative care and reunite institutionalized children who are not orphans with their parents, if in the best interests of the child.

8. Please update the Committee on the concrete results achieved so far by the National Strategy for Children at risk adopted in 2006.

9. Please indicate whether the Disability Law referred to in paragraph 212 of the report has been adopted. Please provide information on the budget allocated to the implementation of the National Action Strategy for Children with Disabilities and the Social Protection Strategy and the concrete results already achieved for children with disabilities.

10. Please provide detailed information on the measures taken to combat sexual abuse and exploitation of children in the State party and to ensure that perpetrators of child sexual abuse are duly prosecuted and punished if found guilty. In particular, please indicate the measures taken to ensure that children abused or used in prostitution are no longer treated as offenders. Please also indicate the measures taken to remove children victims of sexual abuse from prisons and to provide them with the necessary psychosocial rehabilitation services.

11. Please indicate the legislative and institutional measures taken as well as the bilateral agreements signed for the reception and reintegration of repatriated unaccompanied migrant children.

12. Please provide detailed information on the measures taken to prevent and combat the involvement of children in armed conflict and to ensure that child victims of armed conflict are provided with the necessary psychosocial rehabilitation services.

13. Please provide updated information on the results/outcome of the measures taken to reform the juvenile justice system. In particular, please provide updated information on:

- (a) The treatment of children below the age of 12 years who are in conflict with the law;
- (b) The measures taken to reduce the number of children in pre-trial detention;
- (c) The measures taken to establish specialized courts for children and rehabilitation centres for children in conflict with the law;
- (d) The specific measures taken to address children’s complaints at the stages of investigation, detention and decision of the court and on the legal proceedings instituted against those found guilty of torture and ill treatment of children.

Part II

Under this section the State party is invited to briefly (three pages maximum) update the information provided 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;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistical and other information, if available

1. In light of article 4 of the Convention, please provide updated data for 2008, 2009 and 2010, on budget allocations (including trends analysis) for the implementation of the Convention throughout the State party in the areas of health, education and protection of children.
2. Please provide data, if available, for the years 2007, 2008 and 2009 on the number of children with disabilities (data should be disaggregated by age, sex, type of disability, ethnic background and geographical location) and on the percentage of children with disabilities attending regular education;
3. Please provide detailed statistics, if available, from 2007, 2008 and 2009, disaggregated by age, sex, socio-economic background and offence committed, on the number of children who have been:
 - (a) Tried as adults and through informal dispute resolution processes involving Shuras and Jirgas;
 - (b) Charged with and detained for homosexuality, debauchery, adultery, and running away from home; and
 - (c) Detained in juvenile rehabilitation centres and adult penitentiaries, and living in prisons with their mothers, as well as the time spent in detention.
4. Please provide data for 2007, 2008 and 2009, if available, 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, including incest;
 - (d) Children who were provided access to recovery and social reintegration services, specifying the type of services;
 - (e) Child victims of economic exploitation; and
 - (f) Trials of the perpetrators of such offences and the outcomes of those proceedings over the same period;

5. Please update the Committee with regard to any data in the report which may have been superseded by more recent data collected or other new developments.

In addition, the State party may list areas affecting children that it considers to be important with regard to the implementation of the Convention.
