



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-sixth session

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

Concluding observations: Liberia

1. The Committee considered the initial report of Liberia (CRC/C/28/Add.21) at its 957th and 958th meetings (see CRC/C/SR.957-958), held on 25 May 2004, and adopted at the 971st meeting (CRC/C/SR.971), held on 4 June 2004, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's reports, as well as the written replies to its list of issues (CRC/C/Q/LIB/1), which gave a clearer understanding of the situation of children in the State party. The Committee further notes with appreciation the high-level delegation sent by the State party and welcomes the frank dialogue and the positive reactions to the suggestions and recommendations made during the discussion.

B. Positive aspects

3. The Committee notes with appreciation:

(a) The formulation of a framework of a National Plan of Action for Children (2000-2015) and the comparative analysis of the articles of the Convention of the Rights of the Child and the Liberian Constitution in 2000;

(b) The establishment of a Ministry of Gender and Development with a portfolio on children's affairs in 2001;

(c) The establishment of the National Child Rights Observatory Group in 2003 as well as of the Children's Parliament in 2002;

(d) The ratification in 2003 of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

(e) The comprehensive Peace Agreement signed in 2003 and the related Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR) Programme and the Result-Focused Transition Framework (RFTF) identifying key priority areas with regard to the Convention on the Rights of the Child

C. Factors and difficulties impeding the implementation of the Convention

4. The Committee notes with deep concern that the recent armed conflict in the State party has had and is having a very negative impact on the country as a whole and children in particular. This man-made disaster has seriously impaired the implementation of the Convention on the Rights of the Child, an implementation process that faces many serious problems and challenges.

General observation and recommendation

5. The armed conflict in the State party caused, inter alia, very severe and large-scale violations of the human rights of the children. The State party faces almost overwhelming challenges to rebuild the infrastructures and basic social services necessary for the implementation of the rights of the child. About 20,000 children have been involved in the recent armed conflict and are in urgent need of rehabilitation and social reintegration. The war led to the destruction of almost all of the schools in the country. In 2004, less than 50 per cent of children were enrolled in primary education. Life expectancy at birth is 53 years, and out of 1,000 children, 157 die before the age of one and 235 before the age of 5. The vast majority of doctors, nurses and physician assistants have left the country (before 2000, there were around 260 doctors, currently there are 30). Only 20 per cent of children are fully immunized and 35 per cent are undernourished. These and other severe challenges for the child's right to life, survival and development should be addressed and require major efforts from the State party for which international assistance is of crucial importance.

6. The Accra Peace Agreement (August 2003), the Disarmament, Demobilization, Rehabilitation and Reintegration programme (DDRR) and the Result-focused Transition Framework (RFTF), elaborated under the auspices of the United Nations and other international organizations, form a good basis and instrument for addressing at least the most urgent matters.

7. In the present document, the Committee will make observations and recommendations regarding the implementation of children's rights in the State party with particular attention to the family environment, health, education, the situation of former child soldiers and other child victims of the armed conflict, and the many other groups of children living in very difficult circumstances.

8. The Committee urges the State party to undertake every measure possible to restore enjoyment by the children in Liberia of their rights as enshrined in the Convention and make this the highest priority and have it reflected in the allocation of human and financial resources. In this regard, the State party should urge the international community, other States agencies of the United Nations system, and NGOs to meet their pledges in the most expedient manner and to further increase their financial and humanitarian assistance. The Committee wishes to express its full support for such an appeal, taking into account the importance the Convention attaches to international cooperation to assist State parties to meet their international obligations under the treaty.

D. Principle areas of concern and recommendations

1. General measures of implementation

Legislation

9. The Committee is concerned that some provisions of the existing legislation and some of customary law are not consistent with the principles and provisions of the Convention.

10. The Committee recommends that the State party undertake a comprehensive review of legislation in order to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention.

National plans of action

11. The Committee welcomes the development of a framework for a National Plan of Action for Children in 2001 and of a Joint Needs Assessment and Results-Focused Transition Framework elaborated in 2003 that has incorporated key child rights issues. However, the Committee is concerned that a comprehensive national plan of action has not yet been finalized, approved and implemented.

12. The Committee recommends that the State party take all the necessary steps to develop, adopt and implement a national plan of action for children, taking into account issues raised in the document entitled “A world fit for children”, adopted by the General Assembly in its resolution S-27/2. The Committee also recommends that the State party seek technical and other assistance from, among others, UNICEF.

Coordination

13. While taking note that the Ministry of Gender and Development is endowed with the responsibility of coordinating all activities relating to the implementation of the Convention on the Rights of the Child, the Committee is concerned that the Children’s Unit within the Ministry is not yet fully operational.

14. The Committee recommends that the State party take all necessary measures to allocate sufficient human and financial resources to the existing coordination mechanisms by involving other stakeholders, such as community-based groups and NGOs. In particular, the Committee recommends that the Children’s Unit in the Ministry of Gender and Development become fully operational as soon as possible.

Independent monitoring

15. While welcoming the establishment of an Independent National Commission on Human Rights (INCHR) following the Comprehensive Peace Agreement (CPA) in August 2003, the Committee remains concerned that the mandate of the INCHR does not provide for specific measures to deal with children's rights and individual complaints.

16. Taking into account its General Comment No. 2 (2002) on the role of national human rights institutions, the Committee recommends that the State party provide INCHR with adequate human and financial resources and enable it to monitor and evaluate progress in the implementation of the Convention at national and local level. Moreover, INCHR should be empowered to receive and investigate complaints about violations of children's rights and address them effectively in a child-sensitive manner.

Resources for children

17. The Committee is concerned that budgetary allocations are insufficient to respond to national and local priorities for the promotion and protection of children's rights. The Committee is also concerned that aggravated by internal strife and governance problems, international development assistance is slowly delivered.

18. In the light of articles 2 and 3, the Committee 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

19. While acknowledging some efforts made by the State party, the Committee is concerned about the existing lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

20. The Committee recommends that the State party develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, and urban and rural areas. This system should cover all children up to 18 years with specific emphasis on those who are particularly vulnerable. It further encourages the State party to use these indicators and data for formulation of policies and programmes for the effective implementation of the Convention. The Committee recommends that the State party seek technical assistance from, among others, UNICEF.

Dissemination of the Convention

21. The Committee recognizes the particular importance of an understanding of children's rights in the current post-conflict reconstruction in the State party, and remains concerned that dissemination and understanding of the Convention is still very limited.

22. **In the light of article 42, the Committee recommends that the State party make additional efforts in the dissemination of the Convention, provide training on its provisions for professionals, inter alia, law officials, teachers and health workers, and provide teaching on its provisions to the adult population. The State party should ensure that such training focuses on, and contributes to, practical implementation of the Convention's provisions and principles. In addition, the Committee recommends that the State party make every effort to develop a culture of knowledge and respect for human rights in all sectors of the population.**

2. General principles

Non-discrimination

23. While noting that discrimination is prohibited under the Constitution, the Committee is concerned at the persistence of de facto discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups, among others, girls, children with disabilities and children living in rural areas and children belonging to ethnic Mandingo, Krahn and Gbandi groups.

24. **The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate all forms of discrimination, in particular against vulnerable groups.**

25. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of General Comment No. 1 on article 29 (1) of the Convention (aims of education).**

Right to life

26. The Committee is seriously concerned that respect for the inherent right to life of a person under 18 is not fully guaranteed under the law in the State party. The Committee is particularly concerned about the applicability of death penalty for crimes committed by children aged 16 and 17 years of age and emphasizes that such a penalty is in violation with article 37 (a) of the Convention.

27. **The Committee urges the State party to amend its Penal Law in accordance with article 37 (a), and to abolish by law the imposition of the death penalty for crimes committed by persons under 18 years of age and replace the already issued death sentences for children under 18 with a sanction in accordance with the Convention.**

Respect for the views of the child

28. The Committee notes with appreciation the establishment of a Children's Parliament in the State party and the cooperation with international organizations for the promotion of child participation. However, the Committee is concerned that as a result of prevailing traditional attitudes, children are often not consulted about decisions affecting them in development and reconstruction programmes, administrative procedures, in the family and at school.

29. **The Committee recommends that the State party make further efforts to ensure the implementation of the principle of respect for the views of the child. In this connection, particular attention should be paid to the right of every child to participate in the family, at school and other institutions and bodies as well as in society at large. This principle should also be reflected in all laws, policies and rehabilitation and development programmes relating to children. Furthermore, the State party should organize awareness-raising campaigns among the public at large as well as undertake education and training programmes aimed at professionals on the implementation of this principle.**

Best interests of the child

30. The Committee is concerned that the principle of best interests of the child is not fully integrated into all policies and legislation affecting children.

31. **The Committee recommends that the State party review all legislation affecting children with a view to incorporating the principle of the best interest of the child as stipulated in article 3 of the Convention into legislation, regulations, judicial and administrative procedures and decisions.**

3. Civil rights and freedoms

Name and nationality

32. The Committee is very concerned that the granting of citizenship to children born in the State party is restricted on the basis of colour or racial origin by the provisions contained in article 27 of the Constitution and the Alien and the Nationalization Law, which are contrary to article 2 of the Convention on the Rights of the Child.

33. **The Committee recommends that the State party amend its Constitution and citizenship laws to eliminate discrimination on the basis of colour or racial origin.**

Birth registration

34. The Committee shares the State party's concern about the significant numbers of children whose births are not registered, especially in rural areas.

35. **In the light of article 7 of the Convention, the Committee recommends that the State party undertake major efforts to increase registration of births, including through the development of mobile registration units and increased outreach activities and awareness-raising campaigns for families and traditional birth attendants. It also recommends that the State party introduce an effective system of registering births and**

free issuances of birth certificates, including to those children who were not registered at birth. Further, the Committee recommends the State party to seek international assistance, from UNICEF amongst others, in this field.

4. Family environment and alternative care

Parental responsibilities

36. The Committee welcomes the new legislative amendments with regard to marriage, inheritance and child custody. However, the Committee is concerned about the de facto gender discrimination in the sharing of parental responsibilities.

37. The Committee recommends that the State party, in collaboration with community and religious leaders, initiate laws, programmes and policies to prevent and combat the de facto discriminatory practices with regard to parental responsibilities and child custody.

Adoption

38. The Committee is concerned at the lack of interest in domestic adoption in the State party and at the widespread use of informal adoption practices that are not conducive to full respect for children's rights. The Committee is further concerned that there are no arrangements to regulate and monitor intercountry adoptions.

39. In the light of article 21 and other related provisions of the Convention, the Committee recommends that the State party:

(a) Take all necessary measures to reduce and eliminate informal adoption and establish a system to regulate and monitor intercountry adoptions;

(b) Ratify and implement the Hague Convention No. 33 on Protection of Children and Cooperation in respect of Intercountry Adoption;

(c) Inform the general public about the possibilities of formal adoption.

Children deprived of a family environment

40. The Committee takes note of the efforts made in the State party to trace the members of separated families and to reunify children and their parents. The Committee is deeply concerned at:

(a) The large numbers of children who have been deprived of a family environment through the death of, or separation and abandonment from, their parents or other family;

(b) The inadequate conditions and services provided in many orphanages and other institutional settings for children without parents;

(c) The lack of quality standards and of a monitoring system for these institutions.

41. **The Committee urges the State party:**

- (a) **To make every effort to strengthen family tracing programmes;**
- (b) **To plan for the effective provision of alternative care for separated children, making use of the extended family, foster care and alternative family structures;**
- (c) **To urgently adopt the relevant legislation in order to issue quality standards and establish a monitoring system for institutional homes and, in particular, orphanages operating in the State party, as well as to increase allocations available to these institutions and to provide training for their staff;**
- (d) **To take all appropriate measures to ensure that non-orphan children living in institutional homes are brought back to their families, taking into consideration the best interests of the child;**
- (e) **To seek assistance from, among others, UNICEF.**

Abuse and neglect

42. The Committee is concerned about the incidence of abuse, including sexual and gender-based violence and neglect of children in the State party.

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

- (a) **Take all necessary measures to explicitly prohibit corporal punishment in all places, including in the family, in schools and other institutions and childcare settings;**
- (b) **Properly investigate cases of violence, through a child-sensitive judicial procedure by giving appropriate weight to children's views in legal proceedings, and apply sanctions to perpetrators, having due regard to guaranteeing the right to privacy of the child;**
- (c) **Provide services for the psychological recovery and social reintegration of victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention, and take measures to prevent the criminalization and stigmatization of victims;**
- (d) **Seek technical assistance from, among others, UNICEF and WHO.**

5. Basic health and welfare

Children with disabilities

44. The Committee, taking into account the very high incidence of disability in the State party as a consequence of the armed conflict, is concerned at the lack of statistical data on children with disabilities in the State party, at the inadequate legal and practical protection, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, rehabilitation programmes, education and employment possibilities

available to them. The Committee is also concerned about the insufficient efforts made to facilitate their inclusion in the educational system and in society in general as well as the inadequate resources allocated to special education programmes for children with disabilities.

45. The Committee recommends that the State party:

- (a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;**
- (b) Review the situation of these children in terms of their access to suitable health care, rehabilitation programmes, education services and employment opportunities;**
- (c) Take note 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);**
- (d) Allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;**
- (e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;**
- (f) Carry out studies to assess the causes of disabilities in the State party in order to establish a strategy to prevent disabilities;**
- (g) Sensitize the population to the human rights of children with disabilities; and**
- (h) Seek assistance from, among others, UNICEF and WHO.**

Health and health services

46. The Committee is deeply concerned at the high rates of infant, under-five mortality and maternal mortality, and at the low life expectancy in the State party. The Committee also remains concerned that health services in the local areas continue to lack adequate financial resources and are mostly inaccessible. In addition, the Committee is concerned that the survival and development of children in the State party continue to be threatened by childhood diseases, including infectious diseases, diarrhoea and malnutrition. Additionally, the Committee recognizes the major implications of the brain drain of health workers who migrate to other countries thus reducing the efficiency of the health-care system. The Committee expresses its concern at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural areas.

47. The Committee recommends that the State party:

- (a) Increase its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;**

(b) Facilitate greater access to primary health services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially in vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation;

(c) Continue to address the lack of health staff by training, recruiting and retaining qualified health workers;

(d) Pursue additional ways of cooperation and assistance for child health improvement with, among others, WHO and UNICEF.

Adolescent health

48. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns as well as substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the high teenage pregnancy rate which can have a negative impact on their health.

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

(a) Take into account General Comment No. 4 (2003) on adolescent health and development;

(b) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation, in particular, of adolescents themselves, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls;

(c) Strengthen sexual and reproductive health education, mental health and adolescent-sensitive counselling services and support for adolescent mothers, and make these services accessible to adolescents;

(d) Take all necessary measures to prevent teenage pregnancies.

Early marriages

50. The Committee notes with concern that, according to the New Domestic Relations Law, the minimum legal age for marriage is 21 for males and 18 for females, while according to the Revised Administrative Law Governing the Hinterland this age-limit is of 15 years only. The Committee is concerned that in practice, the custom of early marriage is widespread, particularly for girls in rural areas who can get married as early as 12 or 13 years old. The Committee is further concerned that such girls, once married, are not afforded protection and that the enjoyment of their rights as children is not ensured as enshrined in the Convention.

51. **The Committee recommends that the State party amend the Revised Administrative Law Governing the Hinterland by raising the age of marriage to similar ages defined in the New Domestic Relations Law in order to prevent early marriages. It also recommends to the State party that it take measures to ensure that when under age girls are married, they continue fully enjoying their rights as set out in the Convention. The Committee also**

recommends that the State party develop sensitization programmes, involving community and religious leaders and society at large, including children themselves, to curb the practice of early marriages.

Harmful traditional practices

52. The Committee welcomes the activities and awareness-raising campaigns carried out by the National Association for Traditional Practices affecting the Health of Women and Children (NATPAH) on female genital mutilation. However, the Committee is concerned about its widespread practice in the State party.

53. **The Committee urges the State party to take immediate steps to end the practice of female genital mutilation, inter alia, by creating and enforcing legislation and through the implementation of programmes sensitizing the population about its harmful effects. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.**

HIV/AIDS

54. While noting the various efforts being made to address the spread of HIV/AIDS, the Committee remains deeply concerned at the recent increase in the prevalence of HIV/AIDS and the number of children affected by it.

55. **The Committee recommends that the State party, taking into account General Comment No. 3 of the Committee on HIV/AIDS and the Rights of the Children, continue to strengthen its efforts in preventing and treating the effects of HIV/AIDS. It also recommends the State party to pay particular attention to children infected themselves or who have become orphans due to the death of HIV/AIDS parents, through providing adequate psychological and material support and by involving the community.**

6. Education, leisure and cultural activities

56. The Committee welcomes the State party's efforts to rehabilitate the educational system that was massively destroyed by the civil war. It further takes note of the "Back to School" programme that has already brought many children back to school. However, the Committee is concerned about the continuing low rates of enrolment, the significant disparities of enrolment and literacy rates between boys and girls and the overall low quality and hidden costs of education.

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

(a) **Prioritize the construction and reconstruction of schools throughout the country and improve accessibility for all children, taking into account the needs of children with disabilities;**

(b) **Progressively ensure that girls and boys from urban and rural areas have equal access to educational opportunities and receive free education without any hidden costs;**

- (c) Design accelerated learning and vocational training programmes for young people and children who have missed out in educational opportunities;**
- d) Take necessary measures to remedy the low quality of education and to provide appropriate training for teachers;**
- (e) Improve the educational system with a view to achieving the aims mentioned in article 29, paragraph 1, of the Convention and introduce human rights, including children's rights, into the school curricula;**
- (f) Encourage the participation of children at all levels of school life;**
- (g) Seek technical assistance from, amongst others, UNICEF and UNESCO.**

7. Special protection measures

Child soldiers

58. The Committee notes that the Comprehensive Peace Agreement of 18 August 2003 recognizes the special demobilization and reintegration needs of child combatants. However, the Committee expresses its extremely deep consternation at the very high number of children who have been forcibly recruited into armed forces and armed groups by all parties involved in the conflict, including children as young as nine years old. The Committee is also concerned that these children have been forced to carry goods and weapons, guard checkpoints and often fight in the front line, while girls have been raped and forced to become servants of the soldiers as well as combatants. The Committee is deeply concerned at the direct effects of the armed conflict on all child victims, including child combatants, and about the tragic loss of life and severe psychological trauma inflicted upon them. The Committee is also concerned at the very high number of children who have been internally displaced within the country or who have been forced to leave as refugees including, in particular, those who have been separated from their parents.

59. **The Committee urges the State party:**

- (a) To take every feasible measure to have all child abductees and combatants released and demobilized and to rehabilitate and reintegrate them in society taking into account, in particular, the specific needs of girls and other vulnerable groups;**
- (b) In the light of article 38, paragraph 3, to ensure to give priority to those who are the oldest when recruiting young persons and to limit recruitment by all armed forces and groups to persons of 18 years of age or older;**
- (c) To take all necessary measures, in cooperation with national and international NGOs and United Nations bodies such as UNICEF, to address the physical needs of children victims of the armed conflict, in particular the psychological needs of all children affected directly or indirectly by the traumatic experiences of the war. In this regard, the Committee recommends that the State party develop as quickly as possible a long-term and comprehensive programme of assistance, rehabilitation, reintegration and reconciliation;**

(d) To make every effort to assist children who have been displaced from their homes to return as soon as possible, including through assistance in the reconstruction of homes and other essential infrastructure, within the framework of international cooperation.

Refugees and internally displaced children

60. The Committee welcomes the efforts the State party is making to deal with the large number of internally displaced persons and refugees. However, the Committee is concerned that refugee and internally displaced children in Liberia do not receive appropriate protection and assistance in the enjoyment of their rights under the Convention. The Committee appreciates the attention that the authorities and humanitarian community in Liberia are giving to the issue of sexual assault and the exploitation of refugee and internally displaced girls, as well as to the forcible conscription of refugee and internally displaced boys, but it remains concerned that such acts of assault and forcible conscription still occur in Liberia.

61. In the light of articles 7, 22 and relevant provisions of the Convention, the Committee recommends that the State party:

(a) Strengthen its efforts to provide adequate assistance to the internally displaced children, including access to food, education and health services and to support their return and reintegration into their communities;

(b) Prevent sexual assaults and other exploitation of refugee and internally displaced children, with particular attention to girls, and provide for their rehabilitation and reintegration into society;

(c) Prevent forcible conscription of refugee and internally displaced boys and provide for their rehabilitation and reintegration into society;

(d) In carrying out programmes for internally displaced and refugee children, seek assistance and work closely with UNHCR, UNICEF and other competent international, intergovernmental or non-governmental organizations.

Sexual exploitation of children

62. The Committee shares the State party's concern about the prevalence of child prostitution, particularly in urban areas, and is further concerned at the lack of data thereon.

63. The Committee recommends that the State party:

(a) Gather quantitative and qualitative data on the sexual exploitation of children, vulnerable groups and the root causes for such exploitation;

(b) Use this data to develop policies and programmes aimed at combating child sexual exploitation and ensuring that victims have access to appropriate assistance;

(c) Develop programmes for counselling and the rehabilitation and reintegration of girls engaged in prostitution;

(d) Seek international technical assistance from, inter alia, UNICEF and ILO-IPEC in this regard, and engage in bilateral and regional cooperation for the elimination of child sexual exploitation and trafficking.

Substance abuse

64. The Committee is concerned at the recent increase in substance abuse by children, particularly among children associated with armed forces.

65. The Committee urges the State party to establish programmes to combat substance abuse by children, including the provision of psychosocial assistance for addicts. The Committee further recommends that the State party seek technical cooperation, from, among others, WHO and UNICEF.

Juvenile justice

66. The Committee is concerned that the juvenile justice system does not conform to international norms and standards. While noting that the minimum age for criminal responsibility is set at 16, the Committee is concerned that children under the age of 16 are nevertheless held criminally responsible in juvenile court procedures. In particular, it is concerned about the lack of separate detention facilities for persons below the age of 18 and the poor living conditions in these facilities. The fact that capital punishment and imprisonment without possibility of release can be applied under Penal Law to children aged 16 and 17 years at the time the crime was committed is also a major issue of concern for the Committee.

67. The Committee recommends that the State party continue its efforts to reform the system of juvenile justice in line with the Convention, in particular with articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including 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 Guidelines for Action on Children in the Criminal Justice System.

68. As part of this reform, the Committee recommends that the State party:

(a) With regard to the minimum age of criminal responsibility, make sure that children under 16 years of age who have committed an offence and are dealt with through the present procedure only face protective and educative measures;

(b) In the light of article 37, subparagraph (a), urgently amend the Penal Law to ensure that neither capital punishment nor life imprisonment without possibility of release can be imposed for offences committed by persons below the age of 18;

(c) **Take all necessary measures to establish juvenile courts and appoint trained juvenile judges in all regions of the State party and ensure that all children accused of a crime are accorded their right to due process;**

(d) **Take all necessary measures to establish separate detention facilities for juveniles, including through technical cooperation.**

8. Optional Protocols to the Convention on the Rights of the Child

69. The Committee notes that the State party has not ratified the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

70. **The Committee recommends that the State party ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

9. Dissemination of documents

71. Finally, in the light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.

10. Next report

72. **In the light of the recommendation on reporting periodicity adopted by the Committee (CRC/C/139), 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 implementation of the Convention. In this regard, regular and timely reporting by States parties is crucial. As an exceptional measure, and in order to help the State party catch up with its reporting obligations in full compliance with the Convention, the Committee invites the State party to submit its second and third reports in one consolidated report by 3 July 2009, that is, 18 months before the due date established in the Convention for the third periodic report. The 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.**
