

COMMITTEE ON THE RIGHTS OF THE CHILD

Fiftieth session

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

Concluding Observations: Republic of Moldova

1. The Committee considered the combined second and third periodic report of the Republic of Moldova (CRC/C/MDA/3) at its 1382nd and 1383rd meetings (see CRC/C/SR.1382 and CRC/C/SR.1383) held on 20 January 2009 and adopted, at the 1398th meeting, held on 30 January 2009, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second and third periodic report of the State party, as well as the written replies to the list of issues (CRC/C/MDA/Q/3/Add.1). The Committee also welcomes the constructive dialogue held with the high-level and multi-sectoral delegation.

3. The Committee reminds the State party that these concluding observations should be read in conjunction with its concluding observations adopted on 30 January 2009 on the State party's initial report to the Optional Protocol on the involvement of children in armed conflict (CRC/C/MDA/OPAC/CO/1).

B. Follow-up measures and progress achieved by the State party

4. The Committee notes with appreciation the adoption of many legislative and other measures taken with a view to implementing the Convention, including:

- (a) the establishment in 2007 of the Ministry of Social Protection, Family and Child;
- (b) the National Strategy on Child and Family Protection, which defines the priorities for child protection for the period 2003-2008;
- (c) the establishment in 2005 of the Network of Healthcare Services for Adolescents; and

- (d) the Strategy and National Action Plan of Education for All for the period 2004-2008.
5. The Committee also notes with appreciation that, since consideration of its second report in 2002, the State party has ratified or acceded to, *inter alia*:
- (a) the two Optional Protocols to the International Covenant on Civil and Political Rights, on 23 January 2008 and 20 September 2006, respectively;
 - (b) the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 24 July 2006;
 - (c) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, on 28 February 2006; and
 - (d) the United Nations Convention against Transnational Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, on 16 September 2005.

C. Factors and difficulties impeding the implementation of the Convention

6. The Committee notes that the State party has faced serious economic and social challenges during the past few years posed by the transition to a market economy, including increased unemployment, poverty and corruption, which have had an especially severe impact on children belonging to the most vulnerable segments of society.

D. Main areas of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, paragraph 6, of the Convention)

7. The Committee notes that several concerns and recommendations made upon the consideration of the State party's initial report (CRC/C/28/Add.19) have been addressed, including through the implementation of a number of projects in relation to the Committee's recommendations on preventing institutionalisation, improving social assistance for vulnerable families with children at risk and reintegrating children into families and communities. It nevertheless regrets that some of its concerns and recommendations, including those relating to issues such as the allocation of resources, child labour and juvenile justice, have not been adequately addressed or implemented.

8. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial report that have not yet been implemented or sufficiently implemented.

Legislation

9. While the Committee notes the efforts undertaken by the State party to harmonise legislation in order to ensure greater consistency with the Convention, in

particular the amendments to the provisions of the Family Code and the Civil Code, it remains concerned at the lack of resources to implement these laws effectively.

10. The Committee recommends that the State party continue harmonising its legislation with the principles and provisions of the Convention and allocate adequate human and financial resources to support the implementation of the relevant legislation.

Coordination

11. While noting the creation of the Ministry of Social Protection, Family and Child responsible for protecting the rights of families and children, the Committee is concerned that there are areas of overlap and duplication in the coordination of activities and responsibilities relating to children's rights among central ministries and between the local and national levels.

12. The Committee recommends that, with a view to improving the coordination and implementation of child-related strategies and programmes of action, the State party take the necessary steps to ensure effective coordination, particularly amongst its ministries and agencies. The Committee further urges the State party to consider strategies for improving the efficacy of local and national child rights institutions.

National Plan of Action

13. The Committee notes that the new National Development Strategy (2008-2011) does not specifically address child poverty and that poverty has been given lower priority under the strategy. The Committee is concerned that the impact of many strategies for the protection of children's rights, including the National Strategy on Child and Family Protection, is still very limited due to inadequate financial support out of the state budget.

14. The Committee recommends that the State party consider incorporating measures to address child poverty through the National Development Strategy. The Committee urges the State party, in the implementation of its National Strategy on Child and Family Protection, to take into account, *inter alia*, the Declaration and the Plan of Action "A World Fit for Children" adopted by the General Assembly special session in May 2002 and its mid-term review 2007. The State party should also take all necessary measures to ensure a specific and adequate budget allocation and provide professional resources and follow-up and evaluation mechanisms for the full implementation of the plan of action in order to regularly assess progress achieved and identify possible deficiencies.

Independent Monitoring

15. The Committee welcomes the appointment of the ombudsman for children (the Child's Advocate) and notes that, in line with the Paris Principles, the Child's Advocate is empowered to investigate complaints from children and act on his or her own initiative.

16. The Committee recommends that the State party take the necessary measures to ensure that the Child's Advocate has adequate human and financial

resources to exercise his or her mandate effectively and that this mandate should include the responsibility to monitor the implementation of the Convention. In this regard, the Committee draws the attention of the State party to its general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child.

Allocation of resources

17. The Committee expresses its concern that budgetary allocations for children, in particular for children living in rural areas, are insufficient and that often resources allocated do not correspond to the needs identified.

18. The Committee strongly recommends that the State party, in accordance with article 4 of the Convention, further increase budget allocations for the implementation of the rights recognised in the Convention, ensure a more balanced distribution of resources throughout the country and prioritise budgetary allocations to ensure implementation of the rights of all children, including those belonging to economically disadvantaged groups. In that regard, the Committee recommends that the State party take into account its recommendations following its 2007 Day of General Discussion on “Resources for the Rights of the Child - Responsibility of States.”

Data collection

19. The Committee reiterates its concern that data collection is not sufficiently developed and is not disaggregated for all areas covered by the Convention. It further notes that the available data on children are not used in an adequate manner to assess progress and as a basis for policy-making in the field of children’s rights.

20. The Committee reiterates its recommendation that the State party:

- (a) strengthen its mechanisms for systematically collecting and analysing data that is disaggregated by, among other things, sex, age and geographical location on all persons under 18 for all areas covered by the Convention;**
- (b) use these indicators and data effectively for the formulation and evaluation of policies and programmes for the implementation and monitoring of the Convention; and**
- (c) seek technical assistance from UNICEF and the United Nations Population Fund (UNFPA) in this regard.**

Dissemination of the Convention and training

21. The Committee, while noting the efforts of the State party, with international support as well as the support of UNICEF and a number of NGOs, in relation to improving training, *inter alia*, for health care professionals, social workers and other specialists working with children, is concerned about the lack of further information with regard to the dissemination of the Convention and the promotion of awareness of its principles and provisions across government agencies and civil society as well as the media. The Committee is also concerned that human rights training, including

training on children's rights, provided to judicial officers, health personnel and other relevant professional groups is insufficient.

22. The Committee recommends that the State party undertake efforts, in cooperation with local NGOs and other partners, to systematically disseminate information about the Convention among children, parents, civil society organizations, government agencies and in the media, and to provide all relevant professional groups with targeted and regular training on human rights in general and the provisions and principles of the Convention in particular.

Cooperation with civil society

23. The Committee welcomes the active participation of the NGO community in providing social services to families as well as the collaboration between governmental institutions and NGOs, including through cooperation in the area of juvenile justice.

24. The Committee emphasises the important role civil society plays as a partner in implementing the provisions of the Convention and recommends that the State party continue to provide financial and material support to NGOs working for the protection and promotion of children's rights. The Committee further recommends that the State party ensure that the input of civil society organisations is taken into account in legislative, administrative and policy reform.

2. General Principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

25. The Committee is concerned that, despite the legislative guarantees against discrimination, the principle of non-discrimination is not fully respected in practice, and that children from socially disadvantaged families, children with disabilities, children with HIV/AIDS or children belonging to a different ethnic group or holding different religious views may face discrimination. The Committee is further concerned that Roma children are still victims of discriminatory treatment and have reduced access to education, health and an adequate standard of living. Furthermore, the Committee notes that, although the national medical insurance scheme is designed to assist children from families living in poverty or from families with special needs, these families do not enjoy equal access to health services.

26. The Committee recommends that the State party monitor and ensure full compliance with article 2 of the Convention and ensure the implementation of existing laws guaranteeing the principle of non-discrimination with respect, particularly, to children from socially disadvantaged families, children with disabilities, children with HIV/AIDS or children belonging to a different ethnic group or holding different religious views.

Best interests of the child

27. The Committee notes that the Family Code and the Criminal Procedure Code provide for the consideration of the best interests of the child and that State

institutions are required to take them into account when making decisions regarding them. The Committee also notes the existence of children's committees in schools, of the Children's Parliament and of the possibility for children to be associate members of child's rights NGOs. However, the Committee is concerned that the principle of the best interests of the child is not sufficiently implemented in practice, in particular in the judicial, legislative and administrative spheres.

28. The Committee recommends that the State party take all appropriate measures to ensure that the principle of the best interests of the child is a primary consideration, in accordance with article 3 of the Convention, and is adequately integrated into all legal provisions, judicial and administrative decisions and into projects, programmes, and services which have an impact on children. To this end, the State party should take the necessary measures to raise awareness of the practical application of this principle.

Right to life, survival and development

29. The Committee welcomed the progress made by the State party in reducing infant mortality rates in 2007, as well as the cooperation between the Moldovan and Transnistrian health authorities in relation to this issue. The Committee, however, remains concerned at the lack of adequate information on the rate of infant mortality among the Roma and regrets the lack of cooperation between the State party and the Transnistrian authorities in other areas relevant to the well-being and development of children.

30. The Committee recommends that information on infant mortality rates among the Roma be provided as a matter of urgency and be used as a basis for the designing and implementation of programmes to address infant mortality rates among the Roma. The Committee further encourages the State party to pursue cooperation with the Transnistrian authorities in other areas with a view to improving the situation of children in the territory.

Respect for the views of the child

31. The Committee welcomes the efforts of the State party to promote respect for the views of the child, *inter alia* through the provisions of the Family Code giving children the right to express their opinions in family matters affecting their interests, and to be heard during legal or administrative proceedings. The Committee, however, remains concerned that this principle is not adequately respected in families, in schools and other child care institutions and within the community, and that it is not fully taken into account in administrative and judicial proceedings or in the development and implementation of policies and programmes.

32. The Committee recommends that further efforts be made to ensure the implementation of the principle of respect for the views of the child. In this regard, particular emphasis should be placed on the right of every child to be heard in the family, at school, within other institutions and bodies and in society at large, with special attention to vulnerable and minority groups. This right should also be incorporated into all administrative and judicial proceedings, laws, policies and programmes relating to children.

3. Civil Rights and Freedoms (arts. 7, 8, 13-17, 19 and 37(a) of the Convention)

Access to appropriate information

33. The Committee notes with satisfaction the improved access to information afforded to children by the State party. The Committee, however, is concerned that inadequate attention is given to the need for the further diversification of the sources and methods of information in order to ensure the right of access to appropriate information.

34. **The Committee recommends that the State party consider strategies for diversifying the sources and methods of disseminating information to children in accordance with article 17 of the Convention. The Committee further recommends that, in accordance with article 17 of the Convention, the State party encourage the development of appropriate guidelines for the protection of children from information and material injurious to their well-being.**

Torture or other cruel, inhuman or degrading treatment

35. While welcoming the State party's efforts to address torture and other cruel, inhuman or degrading treatment in detention facilities, the Committee is concerned at the low number of prosecutions brought by the General Prosecutor's Office in such cases.

36. **The Committee recommends that the State party implement strategies for the enhanced protection of child victims of torture and other cruel, inhuman or degrading treatment and ensure the systematic and routine investigation and prosecution of reported cases.**

Corporal punishment

37. The Committee is concerned at reports that corporal punishment is a common phenomenon at home and is frequently used to discipline children at school. The Committee also regrets the absence of official statistics on corporal punishment of children by parents.

38. **In light of the Committee's general comment No. 8 on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party enforce the legislative prohibition on corporal punishment in all settings, including through awareness-raising campaigns aimed at families, the school system and other educational settings.**

Follow-up to the UN Study on Violence against Children

39. **With reference to the United Nations Secretary-General's Study on violence against children (A/61/299), the Committee recommends the State party to:**

- a) **take all necessary measures for the implementation of the recommendations contained in the report of the independent expert of the United Nations study on violence against children**

while taking into account the outcome and recommendations of the regional consultation for Europe and Central Asia held in Ljubljana, Slovenia from 5 to 7 July 2005. In particular, the Committee recommends that the State party pay particular attention to the following recommendations:

- (i) prohibit all violence against children;
 - (ii) promote non-violent values and awareness-raising;
 - (iii) provide recovery and social reintegration services;
 - (iv) develop and implement systematic national data collection and research;
- b) use these recommendations as a tool for action in partnership with civil society and, in particular, with the involvement of children to ensure that every child is protected from all forms of physical, sexual and psychological violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse; and
- c) seek technical assistance from UNICEF, OHCHR, WHO and other relevant agencies, *inter alia* ILO, UNESCO, UNHCR as well as NGO partners in this context.

4. Family Environment and Alternative Care (arts. 5, 18, paras. 1-2, 9-11, 19-21, 25, 27, para. 4, and 39 of the Convention)

Family environment

40. The Committee welcomes the adoption by the State party of measures to support the family, including the increase in the number of centres providing community-based social services for families with children and the Law on Social Grants which provides for increased financial support for children with disabilities. The Committee is nevertheless concerned that a high proportion of children remain beneath the poverty line.

41. The Committee recommends that the State party extend its support to families by fully implementing existing laws providing for financial support to vulnerable families, conducting a comprehensive evaluation of the areas in which families are particularly vulnerable, implementing appropriate remedial strategies, allocating the necessary resources and extending social services at the local level through the introduction of parent-training.

Families affected by migration

42. The Committee notes with concern the large number of children affected by the migration of one or more parents seeking better employment opportunities abroad, and the negative effects of this migration on the children involved. The Committee is particularly concerned that children left in the custody of caregivers *in loco parentis* do not always receive the education and moral support that they need, that they are neglected, forced to take on adult responsibilities and are more susceptible to exploitation and juvenile delinquency. The Committee is also concerned that parent

training programmes for parents in vulnerable families have not been introduced and funded by national and local authorities in the Republic of Moldova.

43. The Committee recommends that the State party, taking into account the recommendations of UNICEF contained in its Study Report entitled *The Situation of Children Left Behind by Migrating Parents*:

- (a) implement comprehensive measures to address the root causes of economic migration; and**
- (b) implement measures to mitigate the effects of migration on the welfare of affected children, including particularly through the provision of support at the local level, the training of caregivers and through improved social and psychological support to affected children.**

Children deprived of a family environment

44. The Committee acknowledges the approval of the National Strategy and the Plan of Action on reforming the system of child residential care (2007-2012) as well as the implementation in some districts of a model system for “preventing institutionalisation”. However, the Committee expresses its serious concern at the large number of children placed in institutions, many of whom are not orphans. It further notes with concern that children in those institutions are frequently neglected and ill-treated and, due to a lack of resources, are not provided with proper care and appropriate basic services. The Committee is also concerned about the difficulties faced by children who leave institutional care at 16 years of age, in particular with regard to their right to access education and to an adequate standard of living.

45. The Committee recommends that the State party:

- (a) fully implement the National Strategy and the Plan of Action on reforming the system of child residential care (2007-2012) by providing it with the necessary human and financial resources;**
- (b) develop programmes and policies to prevent the placement of children in institutions, *inter alia* by providing support and guidance to the most vulnerable families, developing, funding and providing parent-training programmes for parents from vulnerable families, and conducting awareness-raising campaigns;**
- (c) strengthen measures to move towards de-institutionalisation whilst ensuring that alternatives to institutionalisation, such as supporting families and extending the network of foster care, are developed, and implement those measures throughout the country;**
- (d) ensure the provision of training to staff involved in the provision of care both in institutions and in alternative care arrangements;**
- (e) set clear standards for existing institutions and ensure periodic review of the placement of children, in light of article 25 of the Convention**

and the recommendations adopted after the General Day of Discussion on children without parental care in 2005;

- (f) provide adequate follow-up and reintegration support and services for children who leave institutional care; and**
- (g) establish effective mechanisms to receive and address complaints from children in care and to monitor standards of care.**

Adoption

46. The Committee notes the passing of legislation on adoption aimed at ensuring compatibility with international standards. The Committee regrets, however, the lack of adequate information in relation to the procedural aspects of adoption, including measures to ensure that the best interests of the child are paramount, that children adopted outside of the State party enjoy safeguards and standards equivalent to those available in national adoptions and that, in intercountry adoption, the placement of a child does not result in improper financial gain for those involved.

47. The Committee recommends that the State party incorporate, in its next periodic report, detailed information on the procedural and substantive aspects of the law on adoption including, particularly, the extent to which applicable law and practice accord with article 21 of the Convention and the Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption, 1993.

Abuse and Neglect

48. While taking note of the State party's efforts to raise awareness of and reduce the abuse and neglect of children and of the new law on domestic violence, the Committee remains concerned that the abuse and neglect of children is widespread. The Committee notes with concern that there is only one State centre for the protection of victims of abuse and neglect.

49. The Committee urges the State party to:

- (a) reinforce mechanisms for monitoring the number of cases and the extent of violence, neglect and sexual abuse in the family;**
- (b) ensure that professionals working with children (including teachers, social workers, medical professionals, members of the police and the judiciary) receive training on their obligation to report and take appropriate action in suspected cases of domestic violence affecting children;**
- (c) strengthen public awareness campaigns and provide information, parental guidance and counselling with a view, *inter alia*, to preventing child abuse and neglect; and**

- (d) **strengthen support for victims of abuse and neglect in order to ensure their access to adequate services for recovery, counselling and other forms of rehabilitation.**

5. Basic Health and Welfare

(arts. 6, 18, para. 3, 23-24, 26 and 27, paras. 1-3, of the Convention)

Children with disabilities

50. The Committee notes the efforts of the State party aimed at assisting children with disabilities but is concerned at the persisting inadequacy of educational, social and health services for children with disabilities and their families in their own living environment. In particular, the Committee notes that there remain many hurdles to ensuring equal access to education for children with disabilities and that, due to the absence of modern approaches to special education and adequate special facilities in schools, many children with mental and physical disabilities are institutionalised or leave school altogether.

51. **The Committee recommends that the State party, in accordance with article 23 of the Convention and taking into account General Comment No. 9 (CRC/C/GC/9), continue to strengthen measures to protect and promote the rights of children with disabilities, *inter alia* by:**

- (a) **developing a comprehensive policy for the protection of children with disabilities and for their equal access to social, educational and other services;**
- (b) **undertaking greater efforts to make available the necessary professional and financial resources, especially at the local level, and to promote and expand community-based rehabilitation programmes, including parent support groups;**
- (c) **pursuing efforts to ensure that children with disabilities, including moderate and severe developmental disabilities, are able to exercise their right to education to the maximum extent possible;**
- (d) **undertaking the necessary measures to collect accurate statistical data that is disaggregated on children with disabilities;**
- (e) **establishing a formal monitoring system for residential care homes for children which closely examines the implementation of the right to education for children with mental and other disabilities, as well as by ensuring that monitoring favours the participation of civil society organisations and incorporates concrete steps to follow up recommended actions;**
- (f) **providing training for professional staff working with children with disabilities, such as teachers, social workers and health care workers;**

- (g) **ensuring the implementation of the Standard Rules for the Equalisation of Opportunities for Persons with Disabilities (General Assembly resolution 48/96);**
- (h) **monitoring and evaluating the quality of services for children with disabilities and raising awareness about all services available;**
- (i) **considering the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol; and**
- (j) **developing and strengthening early identification and early intervention programmes.**

Health and health services

52. The Committee welcomes the various measures undertaken by the State party in the area of health, including the adoption of the Single Compulsory Medical Insurance for children under 18 years old. The Committee also welcomes the reduction in the child mortality rate achieved by the State party during the reporting period. However, the Committee is concerned at the lack of financial resources available to parents and medical institutions for child health care, the lack of necessary equipment or its non-correspondence with the needs of patients, the widespread failure to observe appropriate standards of hygiene and the poor levels of training and inadequate number of healthcare staff.

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

- (a) **fully implement the National Health Policy;**
- (b) **ensure equitable access for children and families to the Single Compulsory Medical Insurance scheme;**
- (c) **develop a comprehensive child and adolescent mental health policy which includes all obligatory components, as recommended by WHO, *inter alia*, regarding mental health promotion, prevention of mental disorders in primary care, outpatient and inpatient mental health services with a view to reducing rates of suicide, managing destructive behaviours and preventing institutionalisation; and**
- (d) **ensure adequate financial and other resources to support the delivery of health care services to children.**

Adolescent health

54. The Committee welcomes the adoption of the National Reproductive Health Strategy (2005) to improve adolescent sexual and reproductive health, and the establishment of the Network of Healthcare Services for Adolescents (2005). The Committee is concerned at the absence of an effective adolescent health promotion strategy and programme and a comprehensive child and adolescent mental health policy. Furthermore, the Committee notes with concern the increasing alcohol

consumption and drug abuse among adolescents, the high rates of teenage pregnancies and abortions as well as the rates of suicide.

55. The Committee recommends that the State party:

- (a) fully implement the National Reproductive Health Strategy;**
- (b) continue extending the Network of Healthcare Services for Adolescents and undertake a comprehensive study in order to understand the nature and extent of adolescent health problems, with the full participation of adolescents;**
- (c) ensure that adolescents have access to age-appropriate and confidential counselling services and life skills training programmes;**
- (d) strengthen efforts in adolescent sex and reproductive health education to reduce the number of teenage pregnancies and develop child-friendly programmes to assist teenage mothers and their children;**
- (e) develop an effective and gender-sensitive strategy of education and awareness-raising for the general public with a view to reducing teenage pregnancies;**
- (f) implement measures to discourage the use of alcohol and drugs by adolescents, paying particular attention to pregnant adolescents; and**
- (g) undertake further measures, including the allocation of adequate human and financial resources to support the development of youth-sensitive and confidential counselling, care and rehabilitation facilities, taking into account the Committee's General Comment No. 4 on adolescent health (CRC/GC/C/2003/4).**

HIV/AIDS

56. The Committee is deeply concerned about the increasing rates of sexually transmitted infections (STIs), including HIV/AIDS, and the lack of respect for confidentiality in relation to the HIV status of patients.

57. The Committee recommends that the State party urgently implement a comprehensive strategy for the prevention and treatment of STIs, particularly HIV/AIDS, taking into account the Committee's General Comment No. 3 on HIV/AIDS and the rights of the child (CRC/GC/C/2003/3). In this regard, the State party is encouraged to involve adolescents in drawing up and implementing appropriate strategies, to provide adequate resources for the education of adolescents on STIs, particularly HIV/AIDS, and to consider the use of peer education as an integral component of its strategies.

Adequate standard of living

58. The Committee remains concerned at the persistence of widespread poverty in the State party, and notes that children constitute 28 percent of the population living in

poverty. The Committee is further concerned that the poverty rate among children has increased during the reporting period thus affecting the overall standard of living of children.

59. The Committee recommends that the State party take steps to improve the standard of living of children. In this regard, the Committee highlights the need to strengthen the capacity of national and local authorities to provide adequate social services, with particular attention being paid to children living in poverty in remote areas.

6. Education, Leisure and Cultural Activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

60. The Committee notes that the State party adopted the Strategy and National Action Plan of Education for All (2004-2008) and that a new curriculum is under implementation. The Committee remains concerned, however, that the net rate of school enrolment has been decreasing over the last few years and that access to education is, to a large extent, dependent on the economic situation of the family. The Committee is also concerned about the low quality of education, inadequate school infrastructure, and that children from families living in poverty tend to begin attending school later and leave school earlier.

- 61. The Committee recommends that the State party:**
- (a) take measures to address the root causes of the decrease in school enrolment rates;**
 - (b) design and implement strategies to ensure equal access to education for all children, irrespective of their economic situation;**
 - (c) take measures to improve the quality of education, in particular by an intensified recruitment of teachers, introducing interactive teaching and learning methods, ensuring that schools are better equipped, improving teacher training and ensuring the active involvement of teachers in educational reform processes;**
 - (d) include human rights education in the curricula of schools at all levels; and**
 - (e) ensure that vocational education and training are more relevant for children who wish to enter practical occupations, including for children who have not completed their primary or secondary education.**

62. The Committee is concerned that school enrolment rates of Roma children are lower than those of non-Roma children at all educational levels, that a significant proportion of Roma children do not attend primary school compared to non-Roma children and that only half of Roma children attend secondary school. The Committee is also concerned at the limited possibilities for instruction in the Roma language.

63. **The Committee recommends that the State party:**
- (a) **take measures to address ethnic disparities in accessing education;**
 - (b) **develop and implement strategies and programmes to ensure access to mainstream education for Roma children;**
 - (c) **ensure that appropriate safeguards are in place to guarantee the optimal enjoyment by Roma children of the right to education.**

7. Special Protection Measures
(arts. 22, 30, 32-36, 37 (b)-(d), and 38-40 of the Convention)

Economic exploitation, including child labour

64. The Committee notes that despite the legislative and other measures taken by the State party to prevent and combat child labour, the protections afforded by the law are not systematically enforced. Furthermore, while appreciating the additional information provided by the State party, the Committee regrets the lack of adequate data that is disaggregated on child labour.

65. **The Committee recommends that the State party, in accordance with article 32 of the Convention and with ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour:**

- (a) **undertake a comprehensive national survey of the number, composition and characteristics of working children in order to design and implement comprehensive strategies and policies to address its causes with a view to enhancing prevention and, where children are legally employed, ensure that their work is not exploitative and is in accordance with international standards; and**
- (b) **establish, if necessary, cooperation with ILO-IPEC and UNICEF in this regard.**

Street children

66. The Committee notes that some measures have been taken by the State party to address the situation of children who live or work in the streets. The Committee is, however, concerned at the absence of detailed information on the number of these children.

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

- (a) **take all necessary measures to ensure that children living or working in the streets have equal access to social and other services, including the provision of health care; and**

- (b) develop effective strategies to address the root causes behind children living or working in the streets and to increase awareness of their rights.**

Trafficking

68. The Committee notes that some measures have been taken by the State party to combat trafficking and to provide assistance to victims of trafficking, such as the adoption of the National Plan to Prevent and Combat Trafficking in Human Beings. The Committee, however, is concerned about the prevalence of trafficking of children for the purposes, *inter alia*, of sexual and economic exploitation.

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

- (a) fully implement the National Plan to Prevent and Combat Trafficking in Human Beings, in order to protect children against trafficking;**
- (b) strengthen measures to protect children who are victims of sexual exploitation, including trafficking and prostitution, and bring perpetrators of sexual abuse and exploitation to justice;**
- (c) train law-enforcement officials, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner that respects confidentiality;**
- (d) implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the outcome documents adopted at the first, second and third World Congresses against Commercial Sexual Exploitation of Children in 1996, 2001 and 2008;**
- (e) prioritise the rehabilitation of child victims of trafficking and ensure that education and training, as well as psychological assistance and counselling, are provided to them; and**
- (f) negotiate bilateral agreements and multilateral agreements with countries concerned, including neighbouring countries, to prevent the sale, trafficking and abduction of children, and develop joint plans of action between and among the countries involved.**

Helplines

70. The Committee notes that the State party has not yet established a toll-free 24-hour national helpline, available throughout the country, for children.

71. **The Committee recommends that the State party provide financial resources and other support to establish and maintain a 3-digit, 24-hour, toll-free number to assist child victims. In this regard, it also recommends that the State party ensure that children are aware of and can access the helpline. Furthermore, the State party is encouraged to facilitate the collaboration of the helpline with child-focused NGOs and the police, as well as health and social**

workers. The Committee also recommends that the helpline should have an outreach component for the most vulnerable and marginalised children and that the State party should allocate funds specifically for the provision of services to remote areas.

Administration of juvenile justice

72. The Committee welcomes the number of achievements made by the State Party in the area of juvenile justice, including improved access to education for children in detention. The Committee is, however, concerned that there are no alternative procedures to the deprivation of liberty, that children convicted of crimes are held in adult detention facilities, that penalties for serious crimes are still very high, that pretrial detention remains excessive and that the right to due process is frequently violated.

73. **The Committee reiterates its previous recommendation (CRC/C/15/Add192) that the State party establish a separate system of juvenile justice fully in line with the Convention. In addition, the Committee recommends that the State party, taking into account General Comment No. 10 on children's rights in juvenile justice (CRC/C/GC/10) and the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20):**

- (a) consider the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the State party;**
- (b) ensure that all professionals involved with the system of juvenile justice are trained on relevant international standards;**
- (c) consider introducing alternatives to the deprivation of liberty, such as diversion, reconciliation and mediation;**
- (d) consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time;**
- (e) protect the rights of children deprived of their liberty and monitor their conditions of detention;**
- (f) ensure that children remain in regular contact with their families while in the juvenile justice system;**
- (g) ensure that a review of detention is made on a regular basis with the aim of reducing it;**
- (h) take the holistic approach to addressing the problem of juvenile crime (e.g. by addressing underlying social factors) advocated in the Convention;**
- (i) provide children with basic services (such as schooling and healthcare) as well as legal and other assistance at an early stage of the legal proceedings;**

- (j) establish an independent, child-sensitive and accessible system for the reception and processing of complaints by children and investigate, prosecute and punish cases of violations committed by law-enforcement personnel and prisons guards; and
- (k) request further technical assistance in the area of juvenile justice and police training from the UN Interagency Panel on Juvenile Justice.

8. Ratification of international human rights instruments

74. The Committee encourages the State party to consider ratifying the international human rights instruments to which it is not yet party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of all Persons from Enforced Disappearance.

9. Follow-up and dissemination

Follow-up

75. 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 Parliament, relevant ministries and the municipal authorities for appropriate consideration and further action.

Dissemination

76. The Committee further recommends that the combined third and fourth periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available to the public at large, civil society organisations, youth groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

10. Next report

77. The Committee invites the State party to submit its 4th and 5th periodic report by February 2015. This report should not exceed 120 pages (see CRC/C/118).

78. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the “Harmonised guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents”, approved at the Fifth Inter-Committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).
