

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

**Concluding Observations of the Committee on the  
Rights of the Child: Ecuador**

**A. Introduction**

1. The Committee considered the combined second and third periodic reports of Ecuador (CRC/C/65/Add.28) at its 1034<sup>th</sup> and 1035<sup>th</sup> meetings (see CRC/C/SR.1034 and CRC/C/SR.1035), held on 23 May 2005, and adopted at the 1052<sup>nd</sup> meeting, held on 3 June 2005, the following concluding observations.
2. The Committee welcomes the submission of the second and third combined periodic reports as well as the detailed written replies to its list of issues (CRC/C/Q/ECU/2), which gave a clear understanding of the situation of children in the State party.
3. The Committee is encouraged by the frank and constructive dialogue it had with the State party's delegation and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

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

4. The Committee notes with appreciation the initiative taken by the State party to reform its laws relating to children and in particular the adoption of the Childhood and Adolescence Code in 2003 which embodies the rights of the child proclaimed in the Ecuadorian Constitution and in the main international conventions. It also welcomes the establishment of the National Council for Childhood and Adolescence in 2004 as a coordination body for official agencies entrusted with implementing public child development policies.
5. The Committee welcomes the establishment of the Observatory on the Rights of Children and Young Persons in 2002 which collects analysis and disseminates information on the status of compliance with rights of children and adolescents.
6. The Committee welcomes the establishment of the Specialized Juvenile Justice system in accordance with the new Childhood and Adolescence Code.

7. The Committee welcomes the ratifications of the following international human rights instruments:
  - a) The ILO Convention no. 138 concerning minimum Age for Admission to Employment and the ILO Convention no. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2001;
  - b) The Convention on the Protection of All Migrant Workers and Members of Their Families in July 2003; and
  - c) The Optional Protocols to the Conventions on the Rights of the Child on the sale of children, child prostitution and child pornography in February 2004 and on the involvement of children in armed conflict in July 2004.
8. The Committee notes with satisfaction the involvement of civil society, including non-governmental organizations in the preparation of the report and the formulation of public policies on children, thereby broadening popular participation in the implementation process.

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

9. The Committee takes note that the long-term impact of natural disasters such as the El Niño phenomenon, political instability in the past years, extreme inequalities and the social injustice has negatively affected the implementation of the rights enshrined in the Convention.

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

#### **1. General Measures of Implementation (arts. 4, 42 and 44, paragraph 6 of the Convention)**

#### **Committee's previous recommendations**

10. The Committee notes with satisfaction that some concerns and recommendations (CRC/C/15/Add.93 of 26 October 1998) made upon the consideration of the State party's initial report have been addressed through legislative measures and policies. However, recommendations regarding, inter alia, resources allocation, birth registration, child labour and trafficking and the disparities between urban and rural areas have not been given sufficient follow-up. The Committee notes that those concerns and recommendations are reiterated in the present document.
11. **The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial periodic report that have not yet been implemented, and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second and third periodic reports.**

## **Legislation**

12. The Committee takes note with appreciation the progress made by the State party in the legislative review process and in particular the adoption of the new Childhood and Adolescence Code which harmonizes the national laws with the Convention on the Rights of the Child. The Committee also notes that the State party is in the process of reforming the Penal Code and Labour Code in order to bring them in line with the Childhood and Adolescence Code and standards of the main international human rights instruments.
13. **The Committee recommends that the State party strengthen its efforts to fully implement the recently adopted Childhood and Adolescence Code as well as expedite the existing legislative review process in the State party in order to bring the existing legislation in line with the Code.**

## **Coordination**

14. The Committee welcomes the establishment of the National Council of Childhood and Adolescence provided for in the Childhood and Adolescents Code as well as the establishment of “Consejos Cantonales de la Niñez y Adolescencia” and “Juntas Cantonales de Protección de Derechos”. However, the Committee expresses its concern that the new structures in place suffer from a lack of coordination with existing ones.
15. **The Committee recommends that the State party ensure an adequate system of coordination between the different institutions at all levels in order to ensure full implementation of the Convention. In this regard, the Committee refers the State party to its General Comments No. 5 on general measures of implementation for the Convention on the Rights of the Child (CRC/GC/2003/5). The Committee also recommends that the State party provide the National Council of Children and Adolescents and all the local entities with all financial resources necessary for the optimum performance of their important tasks.**

## **National Plans of Action**

16. The Committee notes that a 10-year National Plan of Action (Plan Nacional Decenal de Protección Integral a las Niñez y Adolescencia) has been adopted in October 2004 by the State party.
17. **The Committee recommends that the State party ensure that sufficient human and financial resources are timely allocated for its effective implementation, promotes and facilitates an active involvement of children and youth, parents, other interested and relevant bodies and reach the benchmarks established for monitoring and evaluating the plan.**

## **Independent Monitoring**

18. While the Committee welcomes the establishment of the Department for Women, Childhood and Adolescence within the Office of the Ombudsman for Human Rights, it remains concerned that such a department is not present in all regions. Furthermore, the Committee is concerned about the lack of adequate human resources and budgetary allocations, as well as the limited level of awareness shared by children and adults alike about the services of the Office.
19. **The Committee recommends that the State party consider establishing a specific separate department dealing with children's rights that cover all regions supported with adequate human and financial resources in line with the Paris Principles (General Assembly resolution 48/134, annex) and in accordance with the Committee's General Comment No. 2 on independent national human rights institution. The Committee also recommends that the State party strengthen its campaign to raise awareness among regional and local authorities of the importance of this body to the promotion and protection of children's rights.**

## **Resources for children**

20. The Committee notes with deep concern that the resources allocated for social services, particularly with regard to the promotion and protection of children's rights are relatively low, and seem to be to a large extent caused by considerable expenditures (more than 35% of the national budget) on debt servicing. In addition, the Committee is concerned that the Free Trade Agreements, currently being negotiated, may also negatively impact the allocation of budgets for social services.
21. **The Committee urges that the State party increase budget allocations for the promotion and implementation of the rights of children in accordance with article 4 of the Convention and pay particular attention to investment for the implementation and protection of the rights of children belonging to vulnerable groups, including indigenous and Afro-Ecuadorian children, children living in poverty and those in remote areas. The Committee also recommends that the State party undertake maximum efforts to negotiate the rescheduling payments on external and internal debts with the goal to invest more in poverty reduction programmes including investment in the implementation of rights of children to, inter alia, education, highest attainable standard of health and adequate standard of living and calls on the international and private financial institutions and bilateral and multilateral partners to support these efforts. The Committee finally recommends that the State party ensure that Free Trade Agreements do not negatively affect the rights of children, inter alia, in terms of access to affordable medicines, including generic ones. In this regard, the**

**Committee reiterates the recommendations made by the Committee on Economic, Social Cultural Rights (E/C.12/1/Add.100).**

**Data collection**

22. While taking note that in the last few years the State party has made remarkable progress in the data collection system, including the establishment of the System of Indicators on Children and Adolescents, SINIÑEZ ‘Sistema de Indicadores Sociales sobre Niños, Niñas y Adolescentes’ within the Ecuador Integrated System of Social Indicators (SIISE), the Committee is however concerned at the lack of disaggregated statistical data by age, sex and ethnic origin which could provide a better understanding of the situation of children in Ecuador, especially of the vulnerable and marginalized groups.
23. **The Committee recommends that the State party strengthen its system of collecting disaggregated data as part of the national data collection system, including vulnerable and marginalized groups such as children with disabilities, poor children, indigenous and Afro-Ecuadorian children, to form a basis to assess progress achieved in the realization of children’s rights and to help design policies to implement the Convention. The Committee also recommends that the State party seek technical assistance from, inter alia, UNICEF and the Inter-American Children’s Institute.**

**Dissemination of the Convention**

24. The Committee notes with appreciation the efforts made by the State party in disseminating the Convention through, inter alia, seminars and workshops. Nevertheless, it is of the opinion that additional progress needs to be made by the State party with regard to raising awareness among children and adults, especially in rural and remote areas.
25. **The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular judges, lawyers, law enforcements officials, teachers, including teachers in indigenous communities and rural and remote areas, health personnel and social workers and personnel in child-care institutions. The State party is also encouraged to translate the new Childhood and Adolescence Code into the different indigenous languages and to promote its principles and provisions, inter alia, by making use of traditional and innovative methods of communication.**

**Definition of the child  
(art. 1 of the Convention)**

26. The Committee is concerned at the lack of a minimum age for marriage and that children can get married at any age as long as they have parental consent.
27. **The Committee recommends that the State party establish one minimum age for marriage for both boys and girls to an internationally acceptable level.**

**General principles**  
(Arts. 2, 3, 6 and 12 of the Convention)

**Non-Discrimination**

28. The Committee reiterates the concern voiced by the Committee on the Elimination of Racial Discrimination (CERD/C/62/CO/2, para. 11) that, despite constitutional and legal guarantees, indigenous and Afro-Ecuadorian people, as well as members from other ethnic minorities are, de facto, still discriminated against. The Committee is further concerned about discrimination against girls, children living in poverty and refugee children.
29. **The Committee urges that the State party take adequate measures to ensure practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination and the full compliance of article 2 of the Convention, and to strengthen and effectively implement its national strategies to eliminate discrimination on any grounds and against all vulnerable groups.**
30. **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 Declaration and Programme on Action adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account of General Comment No. 1 on article 29(1) of the Convention (aims of education).**

**The Right to life, survival and development**

31. The Committee is particularly concerned about the high number of children who are victims of violence.
32. **The Committee urges the State party undertake effective measures to maximum extent possible, to reduce and eliminate the occurrence of violence.**

**Respect for the views of the child**

33. While noting with appreciation the efforts made by the State party in order to implement the principle of respect for the views of the child, the Committee is concerned that traditional societal attitudes appear to limit children to freely express their views in schools, courts or within the family.
34. **The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the family, schools, courts and relevant administrative and other settings, as well as in the media, in accordance with article 12 of the Convention.**

**Civil rights and freedoms**  
**(Arts. 7, 8, 13-17 and 37(a) of the Convention)**

**Birth registration**

35. While taking note of the efforts made by the State party to promote the birth registration of children, the Committee is concerned that one out of 10 children is not registered or is registered at a later stage. The Committee is further concerned that birth registration in some regions, such as the Amazon, is very low.
36. **In the light of article 7 of the Convention, the Committee recommends that the State party strengthen its efforts of a systematic birth registration for all children born within the national territory through, inter alia, the elimination of administrative costs for parents, awareness-raising campaigns, and the introduction of mobile registration units in rural areas, particularly in the Amazon region. The Committee also recommends that the State party undertake similar measures to ensure registration of those children who have not yet been registered. In this regard, the State party should consider seeking technical assistance from, inter alia, UNICEF, UNFPA and other potential donors.**

**Corporal Punishment**

37. While taking note that the Childhood and Adolescence Code prohibits corporal punishment in schools and in the penal system and the introduction of programmes such as “good treatment”, the Committee remains concerned that corporal punishment is still traditionally accepted and widely practiced in the family and in other settings as a form of discipline.
38. **The Committee recommends that the State party introduce and enforce legislation prohibiting all forms of corporal punishment in all settings, including in the family and alternative child care system, as well as strengthening awareness-raising campaigns to ensure that alternative forms of discipline are administrated in a manner**

consistent with child's human dignity and in conformity with the Convention, especially article 28(2).

**Family environment and alternative care  
(arts. 5; 18 (paras.1-2); 9-11; 19-21; 25; 27 (para.4); and 39 of the  
Convention)**

**Parental responsibilities**

39. The Committee is concerned at the large number of female households and often limited degree to which fathers assume their parental responsibilities, including on issues related to the recognition and maintenance of the child.
40. **In the light The Committee recommends that the State party undertake measures with the aim at strengthening the capacity of families and to pay particular attention to the role of fathers, including the recognition and maintenance of the child.**
41. The Committee is concerned that the increasing emigration of Ecuadorians in the recent years has had a negative impact on the parental responsibilities for the upbringing and development of the child.
42. **The Committee recommends that the State party undertake all necessary measures to ensure that overseas Ecuadorian workers, equally men and women, are able to meet their parental responsibilities, including through strengthening bilateral agreements with the countries of destination, and to promote family reunification and stable family environment for the upbringing of children in accordance with articles 18 and 10 of the Convention. The Committee also encourages that the State party strengthen its service in providing child-sensitive family counselling services for overseas Ecuadorian workers and their children.**

**Alternative care**

43. The Committee notes with concern the increasing number of children deprived of their natural family environment due to, inter alia, poverty unemployment and the increasing number of parents migrating to other countries in search of improved opportunities, thereby leaving their children behind without a proper care and in the care of relatives or institutions.
44. **The Committee recommends that the State Party undertake measures to strengthen the family by adequate financial resources and to reinforce community-based structures for children deprived of their family environment, in line with article 25 of the Convention, conduct periodic reviews of the placement of children, and ensure institutionalization is a last resort.**

## Adoption

45. While taking note that the new Code of Childhood and Adolescence establishes the principle of priority for the support of the family of origin over adoption and the subsidiarity of inter-country adoption over to domestic adoption, the Committee remains concerned about the lack of a Central Authority with clear functions monitoring the inter-country adoptions.
46. **The Committee recommends that the State party undertake measures to establish a Central Authority with clear functions and an accreditation and supervision mechanism of national and foreign bodies intervening in inter-country adoption in accordance with the 1993 Hague Convention No. 33 on the Protection of Children and Cooperation in Respect of Inter-country Adoption.**

## Child abuse and neglect

47. The Committee takes note of the legal protection introduced by the recently adopted Code on Childhood and Adolescence. However, it remains concerned at the extent of abuse and violence within the family and at the fact that the State party does not have a clear policy to deal with this phenomenon.
48. **The Committee recommends that the State party strengthen its efforts to address the problem of domestic violence and child abuse, including through:**
- a) **Effective implementation of the relevant provisions of the Childhood and Adolescence Code, inter alia, based on a comprehensive collection of statistical data disaggregated by sex, age and ethnicity;**
  - b) **Conduct educational public awareness campaigns about the negative consequences of child abuse and neglect;**
  - c) **Adopt measures which enables the Fiscal Ministry, the Judicial Police and the Judicial Organs to investigate and sanction the cases of violence against girls and adolescents in a gender and child-sensitive manner;**
  - d) **Ensuring that all children victims of violence have access to counselling and assistance with recovery and reintegration; and**
  - e) **Providing adequate protection to child victims of abuse in their homes and by allowing video tapes testimony as admissible in court procedures.**

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

## Children with disabilities

49. While welcoming the establishment of the ‘Consejo Nacional de Discapacidades’ (CONADIS), the Committee remains concerned at the lack of a comprehensive data on the number of children with disabilities in the State party. It also notes with concern that these children face various forms of discrimination and that a high number of children with disabilities do not attend any form of education, especially in rural and remote areas.

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

- a) Collect accurate disaggregated data on children with disabilities;**
- b) Take effective measures for the reduction and elimination of societal discrimination against children with disabilities, including through awareness and educational campaigns; and**
- c) In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee’s recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion into society, inter alia by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities.**

#### **Health and health services**

51. Despite the considerable efforts made by the State party in the area of health, especially the reduction of child mortality over the last ten years, the Committee remains concerned at the increasing adolescent mortality rates as stated in the State party report (para.143). The Committee is also concerned at the high levels of malnutrition, especially in rural areas.

**52. The Committee recommends that the State party strengthen its efforts in improving the health situation of children in the State party and improving access to quality health services, and to address the issue of malnutrition, particularly in rural and remote areas. The Committee also recommends that the State party strengthen the Baby Friendly Initiative and update training manuals for health professionals on the promotion and protection of breastfeeding.**

#### **Environmental health**

53. The Committee reiterates the concern raised in its previous concluding observations (CRC/C/15/Add.93) with regard to the damaging effect of

oil extraction and the spraying of illegal crops under Plan Colombia on the environment and on the health of children.

54. **The Committee recommends that the State party effectively address the problem of pollution and environmental degradation, including by seeking bilateral agreements and international cooperation. It also recommends that the State party strengthen its environmental health education.**

#### **Adolescent health**

55. The Committee remains concerned at the increasing number of teenage pregnancies and the number of very young mothers. The Committee is also concerned that adolescents face particular physical health and mental health risks, including violence, drug use and alcohol abuse and sexually transmitted infections (STIs).
56. **The Committee recommends that the State party pay particular attention to adolescent health, taking into account the Committee's General Comment No. 4 on adolescent health and development in the context of the Convention on the Rights of the Child. The Committee recommends that the State party strengthen the existing laws and programmes and in particular:**
- a) **Undertake measures to reduce the rate of teenage pregnancies, especially through reproductive health education and child-sensitive counselling services;**
  - b) **Undertake measures to reduce the rate of teenage pregnancies through, inter alia, the effective implementation of the Sex Education and Love Act in a gender and child-sensitive manner;**
  - c) **Undertake effective measures to prevent sexually transmitted infections (STIs) and to combat drug use and alcohol abuse by children, including through public education awareness-raising campaigns and ensure that children who abuse alcohol and/or use drugs have access to effective structures and procedures for treatment, counselling, recovery and reintegration; and**
  - d) **Increase its efforts to promote mental health and counselling services, inter alia with a view to address suicide among adolescents, and ensure that such services are accessible to, and appropriate for all adolescents, including indigenous, Afro-Ecuadorian and those in remote areas.**

#### **Standard of living**

57. The Committee joins the concern expressed by the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add. 100) with regard to the persistent and growing level of poverty in the State party,

particularly affecting children, including indigenous and Afro-Ecuadorian children.

58. **The Committee recommends that the State party increase its effort to provide vulnerable and marginalized children, including indigenous and Afro-Ecuadorian children, material assistance and support programmes, particularly with regard to nutrition, clothing and housing in accordance with article 27 of the Convention.**

**Education, leisure and cultural activities  
(arts. 28, 29 and 31 of the Convention)**

59. The Committee acknowledges the remarkable improvement made in the field of education, including the forthcoming implementation of bilingual education. The Committee also takes note of the system of measurement of academic achievements (APRENDO). However, the Committee is concerned at the low public investment in education, the poor equipment for schools, the limited access to educational facilities for street children, and the regional disparities in the full enjoyment of the right to education.

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

- a) **Increase public expenditure in education, in particular in primary, pre-primary and secondary education;**
- b) **Increase enrolment in primary and secondary education, reducing social-economic, ethnic and regional disparities in the access and full enjoyment of the right to education;**
- c) **Strengthen its measures to prevent dropouts;**
- d) **Strengthen vocational trainings which are linked to the requirements of the labour market and ensure access to education to street children adjusted to their specific needs;**
- e) **Enhance the quality of teaching and provide adequate trainings to teachers; and**
- f) **Seek technical cooperation with, inter alia, UNICEF and UNESCO.**

**Leisure, recreation and cultural activities**

61. While noting the efforts undertaken by the State party in organizing sports and cultural activities, the Committee is concerned at the insufficient number of recreational and cultural activities.
62. **The Committee recommends that the State party ensure that children can enjoy their right to leisure, play and participation in cultural and artistic activities, in accordance with article 31 of the Convention.**

**8. Special protection measures**

*(arts. 22, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)*

### **Refugee children**

63. The Committee notes with appreciation the efforts made by the State party in hosting an increasing number of asylum seekers among which there is a significant number of children, including the steps taken in cooperation with UNHCR in registering asylum seekers and refugees and issuing new identification documents to both asylum seekers and refugees.
64. **The Committee recommends that the State party continue to strengthen its asylum policy, in particular to adopt legislative measures governing the treatment of unaccompanied and separated children. Furthermore, the Committee recommends that the State party strengthen its efforts to secure full access of all refugee and asylum seeking children to education, health and other services. In this regard, the Committee recommends that the State party seek international cooperation with and assistance from, inter alia, UNHCR and UNESCO.**

### **Internal/ external displacement**

65. **The Committee expresses its concern at the high number of people, among which a significant number of children, who are victims of violence and displacement and which are to a significant degree a consequence of Plan Colombia.**
66. **The Committee recommends that the State party undertake all necessary measures to reduce the negative impacts of the Plan Colombia on the population, to ensure the respect of the rights of the children and to provide to all victims assistance for recovery.**

### **Economic exploitation, including child labour**

67. While welcoming the measures taken by the State party to combat the worst forms of child labour, the Committee is deeply concerned at the high number of children between the age of 5 and 15 working in the State party. It is also concerned, as noted by the State party, that approximately 4,000 children are involved in mining work, and that a substantive number of children is working in the banana sector.
68. **The Committee urges that the State party continue to strengthen its legislative and other measures to combat child labour. In this regard, the Committee recommends that the State party:**
- a) **Effectively implement its domestic legislation and programmes to progressively eradicate child labour with the active participation of working children;**

- b) **Improve and enhance the human and financial capacity of the labour inspection system to effectively implement the child labour laws, including the prohibition against employing children in harmful and hazardous work; and**
- c) **Provide former child workers with appropriate recovery, education and vocational training opportunities.**

### **Sexual exploitation and trafficking**

69. The Committee takes note with appreciation of the considerable efforts undertaken by the State party, and the various studies conducted by different institutions regarding the issue of sexual exploitation and trafficking of children, as reported by the State party. The Committee expresses its deep concern at the high number of children involved in commercial sexual exploitation and at the insufficient measures adopted by the State party in this regard.

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

- a) **undertake appropriate legislative measures, including the revision of the Penal Code in order to criminalize, among others, sexual exploitation, pornography and sex tourism, as reported in the replies to the list of issues;**
- b) **develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation;**
- c) **avoid criminalizing child victims of sexual exploitation;**
- d) **implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congress against Commercial Sexual Exploitation of Children.**

### **Juvenile Justice**

71. The Committee welcomes the establishment of the Specialized Juvenile Justice system in accordance with the new Child and Adolescence Code. However, the Committee is concerned that deprivation of liberty is not systematically used as a measure of last resort only. It is also concerned at the slow pace at which cases are processed.

72. **The Committee urges the State party to ensure the full implementation of juvenile justice standards, in particular article 37(b), article 40 and 39 of the Convention as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's day of general discussion on the administration of juvenile justice. The Committee further recommends that the State party:**

- a) **Strengthen its socio-educative measures in all the territory of the State party;**
- b) **Consider deprivation of liberty only as a measure of last resort and for the shortest possible period of time;**
- c) **Provide persons below 18 with legal or other assistance;**
- d) **Ensure that persons below 18 remain in regular contact with their families while in the juvenile justice system; and**
- e) **Introduce training programmes on relevant international standards for all professionals involved in the system of juvenile justice.**

### **Children belonging to a minority or indigenous group**

73. The Committee takes note of the various measures undertaken by the State party with regard to indigenous children, including the implementation of the bilingual intercultural education system. However, the Committee remains concerned about the limited enjoyment of their rights by indigenous children, particularly with regard to access to education and to health due to widespread poverty. It is also concerned that indigenous children

- a) begin to work in agricultural and domestic activities at the ages of 5 years for boys, and 4 years for girls,
- b) are subjected to punishment, including forms of public shaming, and
- c) are often victims of sexual abuses.

74. **The Committee recommends that the State party take all necessary measures to protect the rights of indigenous children against discrimination and to guarantee their enjoyment of the rights enshrined in domestic law and in the Convention. In this regard, the Committee refers the State party to its recommendations adopted following its day of general discussion on the rights of indigenous children in September 2003. The Committee further recommends that the State party provide indigenous communities, including children with sufficient information regarding birth registration procedures, child labour, HIV/AIDS, child abuse and neglect, including corporal punishment.**

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

75. **The Committee recommends that the State party submit its reports under both Optional Protocols to the Convention on the Rights of the Child by 2006.**

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

#### Follow-up

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

#### Dissemination

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

#### **11. Next report**

**78. 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. The Committee urges the State party to submit the next periodic report by 7 September 2007. Such a report should not exceed 120 pages (see CRC/C/148). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.**