



## Convention on the Rights of the Child

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### COMMITTEE ON THE RIGHTS OF THE CHILD

#### Thirty-ninth session

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

#### Concluding observations: Yemen

1. The Committee considered the third periodic report of Yemen (CRC/129/Add.2) at its 1048th and 1049th meetings (see CRC/C/SR.1048 and 1049), held on 1 June 2005, and adopted at the 1052nd meeting (CRC/C/SR.1052), held on 3 June 2005, the following concluding observations.

#### A. Introduction

2. The Committee welcomes the State party's timely submission of the third periodic report, which is generally in compliance with the Committee's guidelines. The Committee also notes with appreciation the replies by the State party to the list of issues (CRC/C/Q/YEM/3).

3. The Committee notes with appreciation the presence of a high-level and cross-sectoral delegation, which contributed to an open dialogue and a better understanding of the process of implementation of the Convention in the State party.

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

4. The Committee welcomes the adoption of the Rights of the Child Act No. 45 of 2002, which seriously attempts to cover the provisions of the Convention.

5. The Committee notes with appreciation the establishment of the Fund for the Welfare and Rehabilitation of Disabled Persons Act No. 2 of 2002.

6. The Committee welcomes the Council of Ministers Decree No. 18 of 2002 concerning regulations to promote and protect breastfeeding.

7. The Committee notes with appreciation the promulgation of Ministerial Decree No. 167 establishing specialist teams to produce curricula for pre-school (kindergarten) education that incorporate various principles relating to children's rights.

8. The Committee notes with appreciation Republican Decree No. 38 of 2000 concerning the Implementing Regulations of the Juveniles Act.

9. The Committee welcomes the establishment of the Ministry of Human Rights, pursuant to Decree No. 105 of 2003.

10. The Committee welcomes the ratifications of the following international human rights instruments:

(a) The Optional Protocol to the Conventions on the Rights of the Child on the sale of children, child prostitution and child pornography, in December 2004; and

(b) ILO Convention No. 138 (1973) concerning minimum age for admission to employment and ILO Convention No. 182 (1999) concerning the prohibition and immediate action for the elimination of the worst forms of child labour, in 2000.

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

11. The Committee recognizes that the State party continues to face serious economic challenges, as well as the harsh geographic conditions and the scarcity of natural resources, all of which serve to seriously impede the full implementation of the Convention.

### **D. Principal subjects of concern, suggestions and recommendations**

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

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

12. While welcoming the extensive information provided by the State party in its third periodic report, the Committee regrets that the report does not clearly outline the measures undertaken by the State party in order to follow up on the recommendations regarding its initial and second periodic reports (CRC/C/8/Add.20 and CRC/C/70/Add.1).

**13. The Committee reiterates its previous recommendations and urges that the State party take all necessary measures to address the recommendations in the concluding observations to the second periodic report, and to provide adequate follow-up to the recommendations contained in the present concluding observations on the third periodic report.**

#### **Legislation and implementation**

14. While welcoming the legislative measures, notably the promulgation of the Rights of the Child Act No. 45 of 2002, which has been undertaken by the State party in order to ensure the implementation of the Convention, the Committee remains nonetheless concerned that the

existing legislation in the State party does not fully reflect the principles and provisions of the Convention, e.g. regarding the definition of the child, family law and the administration of juvenile justice.

**15. The Committee reiterates its recommendation to scrutinize carefully existing legislative and other measures both at the national and local levels to ensure that the provisions and principles of the Convention are implemented, through, inter alia, review of national legislation.**

#### **Coordination**

16. The Committee notes the State party's efforts to strengthen the role of the Higher Council for Maternal and Child Welfare, which has the task of coordinating the implementation of the Convention. The Committee remains concerned that enhanced coordination is needed between the different bodies of the Government that contribute to the implementation and monitoring of the Convention through various strategies and plans.

**17. The Committee recommends that the State party continue to complete the restructuring of the Higher Council for Maternal and Child Welfare, and that its mandate provide for an effective coordination of all activities of the Government in the implementation of the Convention. It also recommends that the State party provide the Higher Council with adequate staff of high quality, particularly with respect to the implementation of the various plans and programmes for the implementation of the Convention.**

#### **National Plan of Action**

18. The Committee takes note that the State party is developing a National Plan of Action for the period 2006-2010 and the comprehensive National Strategy for Children and Youth for the period 2006-2016 that reportedly cover all areas of the Convention, taking into account the objectives and goals of the outcome document "A world fit for children".

**19. The Committee recommends that the State party ensure that sufficient human and financial resources are allocated in time for the effective implementation of the National Plan of Action and that it promote and facilitate active involvement of children and youth, parents, NGOs and other interested and relevant bodies. It further recommends that the State party develop indicators and benchmarks for monitoring and evaluating the plan.**

#### **Independent monitoring structures**

20. The Committee appreciates the work of the Ministry for Human Rights, inter alia in the dissemination of information on the rights of the child, including through the preparation of educational kits and in dealing with the complaints regarding violations of child rights. The Committee also welcomes the information provided by the delegation about the establishment of a Centre for Child's Rights, officially launched on 29 May 2005. However, the Committee expresses its concern at the lack of an independent body for human rights in general and children's rights in particular.

21. **The Committee recommends that the State party fully support the activities of the newly established Centre for Child's Rights within the Ministry for Human Rights, and initiate a process that can make it possible for this centre to develop into an independent body for the monitoring of the implementation of the Convention on the Rights of the Child. The Committee also recommends that the State party consider establishing an independent national human rights institution in accordance with the Paris Principles (General Assembly resolution 48/134, annex), and taking into account the Committee's general comment No. 2 (2002) on the role of national independent human rights institutions, ensure that such a body is provided with adequate financial resources and personnel capable of dealing with complaints filed by children, or on behalf of children, in a child-sensitive manner. The Committee further recommends that the State party seek assistance in this regard from, inter alia, the Office of the High Commissioner for Human Rights.**

### **Resources for children**

22. The Committee notes that the information regarding budgetary allocations for various areas covered by the Convention, such as education, health care, alternative care and activities in the areas of special protection, which have increased in absolute terms. But it remains concerned that, owing to an inflation rate of about 12 per cent the net increase is very limited or absent and that in some areas budget allocations have relatively decreased.

23. **The Committee strongly recommends that the State party take all necessary measures for the realization of a net increase in budget allocations for the implementation of the Convention, where possible with the support of international financial institutions, bilateral and multilateral partners in accordance with article 4 of the Convention, and taking into account articles 2, 3 and 6 of the Convention.**

### **Data collection**

24. While taking note of the efforts made by the State party in the area of data collection, the Committee remains concerned at the lack of an adequate data-collection mechanism which allows for a systematic and comprehensive collection of disaggregated quantitative and qualitative data on all areas covered by the Convention in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies conducted with respect to children.

25. **The Committee recommends that the State party strengthen its efforts to establish a comprehensive and permanent mechanism to collect data within the national statistical system, disaggregated by gender, age, and rural and urban area incorporating all the areas covered by the Convention and covering all children below the age of 18 years, with emphasis on those who are particularly vulnerable, i.e. separated children, children with disabilities, children in conflict with the law, refugees and trafficked children. The State party should also develop indicators to effectively monitor and evaluate progress achieved in the implementation of the Convention and assess the impact of policies that affect children.**

### **Training/dissemination of the Convention**

26. The Committee takes note of the State party's efforts made to raise awareness of the Convention through seminars and workshops. However, the Committee is concerned at the lack of awareness of the Convention among professionals working with children, as well as in the general public, including children themselves, including in remote and rural areas.

27. **The Committee recommends that the State party strengthen its efforts to provide adequate and systematic training and sensitization on children's rights to professional groups working with and for children, such as parliamentarians, judges, lawyers, law enforcement and health personnel, teachers, school administrators and others as required, in particular in remote and rural areas. Furthermore, the Committee recommends that the State party target the public at large through, inter alia, radio and television.**

### **Cooperation with civil society**

28. The Committee recognizes the activities of the NGOs in the area of child rights. However, the Committee is concerned that insufficient efforts have been made to involve civil society in the full implementation of the Convention, particularly in awareness-raising of the rights enshrined in the Convention, among both the public in general and during the reporting process.

29. **The Committee recommends that the State party systematically involve non-governmental organizations and other community-based groups, including children's associations, throughout all stages of the implementation of the Convention, including the formulation of the national plan of action, policies and programmes and in the preparation of the periodic reports to the Committee.**

## **2. Definition of the child**

30. The Committee is concerned about the legislative inconsistency concerning the definition of a child and in particular the difference between age of majority, 18 years, and age of maturity, 15. The Committee is further concerned at the minimum age for marriage for girls, 15, and that some may even get married earlier, as young as 12, due to the lack of law enforcement.

31. **The Committee recommends that the State party ensure that all persons below 18 years of age receive the same protection under the Convention. The Committee further recommends that the State party take the necessary measures to prevent marriages at a very young age and increase the legal age of marriage to an internationally acceptable level.**

## **3. General principles**

### **Non-discrimination**

32. The Committee is deeply concerned at the persistence of discriminatory social attitudes against girls. Furthermore, the Committee is concerned at the disparities in the enjoyment of rights and at the social discrimination experienced by children belonging to the most vulnerable

groups, inter alia, children who are also addressed as *Akhdam* children, children born out of wedlock, children with disabilities, street children and children living in rural areas.

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

**(a) Strengthen its efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, particularly with regard to girl children, in accordance with article 2;**

**(b) Prioritize and target social services for children belonging to the most vulnerable groups, including those children referred as *Akhdam* children, children with disabilities, street children and children living in rural areas;**

**(c) Take all appropriate measures, such as comprehensive public education campaigns, to prevent and combat negative societal attitudes in this regard, particularly within the family;**

**(d) Train school teachers, media and members of the legal profession, particularly the judiciary, to be gender-sensitive; and**

**(e) Mobilize religious leaders to support such efforts.**

**34. 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 of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in 2001 and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).**

**Best interests of the child**

35. The Committee notes that the principle of the best interests of the child is taken into consideration in the Rights of the Child Act, but remains concerned that the persistence of certain local customs and traditions impedes the implementation of this principle.

**36. The Committee recommends that the State party take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as judicial and administrative decisions and in policies, programmes and services which have an impact on children. The Committee also encourages the State party to take all necessary measures to ensure that local customs and traditions do not impede the implementation of this general principle, notably through raising awareness among community leaders.**

**Respect for the views of the child**

37. The Committee notes that the Rights of the Child Act has fully integrated article 12 of the Convention. It also notes with appreciation that the State party has established the Children's Parliament as a new mechanism to guarantee children their right to express their views on issues

concerning them. However, the Committee remains concerned that traditional attitudes towards children in society and local communities may limit respect for their views, especially within the family and schools.

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

(a) **Promote and facilitate respect for the views of children and their participation in all matters affecting them in all spheres of society, particularly at the local levels and in traditional communities, in accordance with article 12 of the Convention; and**

(b) **Provide educational information to, inter alia, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into account.**

#### **4. Civil rights and freedoms**

##### **Birth registration**

39. The Committee is still very concerned (see CRC/C/15/Add.102, para. 20) at the lack of birth registration of a significant number of children, which has negative consequences for the full enjoyment of their fundamental rights and freedoms.

40. **The Committee recommends that the State party take appropriate measures to ensure the registration of all births, in accordance with article 7 of the Convention, such as by organizing awareness-raising campaigns for birth registration, establishing civil registration mechanisms in hospitals, as well as encouraging the use of mobile registration units, particularly in remote and rural areas.**

##### **Corporal punishment**

41. The Committee is deeply concerned that corporal punishment is still used as a disciplinary measure in schools despite its official prohibition and is widely practised within the family and in other settings. The Committee is further concerned that corporal punishment, including flogging, is still lawful as a sentence for crime.

42. **The Committee recommends that the State party, as a matter of urgency:**

(a) **Review existing legislation and explicitly prohibit all forms of corporal punishment;**

(b) **Abolish by law the possibility of sentencing a child to any form of physical punishment; and**

(c) **Undertake well-targeted public-awareness campaigns on the negative impact of corporal punishment on children, and provide teachers and parents with training on non-violent forms of discipline as an alternative to corporal punishment.**

43. **The Committee also reiterates its previous concluding recommendations (CRC/C/15/Add.102, paras. 21 and 34) and joins its voice to those made by the Human Rights Committee (CCPR/C/75/YEM, para. 16) and the Committee Against Torture (CAT/C/CR/31/4, para. 7).**

#### **Access to information**

44. The Committee takes note of the measures undertaken by the State party to guarantee children's access to information. However, it remains concerned about the limited access to information for children living in remote and rural areas.

45. **The Committee recommends that the State party strengthen its effort to ensure the right to information for children, especially those who live in remote and rural areas through, inter alia, mobile libraries.**

### **5. Family environment and alternative care**

#### **Parental responsibilities**

46. The Committee is concerned that existing laws and practice do not reflect article 18 of the Convention, according to which both parents have equal responsibility for the upbringing of their children, e.g. for children born out of wedlock, and that the best interests of the child is not a primary consideration in decisions regarding custody, guardianship and affiliation.

47. **The Committee urges that the State party expedite the amendments to the law now under consideration which, according to the information of the delegation, will bring the law in line with the provisions of the Convention. The Committee further recommends that the State party take the measures necessary for the full implementation of the amended law in practice.**

48. **The Committee further recommends that the State party undertake an in-depth and comprehensive study on the impact of polygamy with a view to finding out whether polygamy has negative consequences on the upbringing and development of the child and, if so, to develop measures to address those negative impacts.**

#### **Children deprived of family environment**

49. The Committee welcomes the care for children in need of alternative care such as *kafalah* (informal and formal), but remains concerned regarding the quality of care children receive in such orphanages, particularly those which are very large and lack proper regulations or mechanisms for the monitoring and control of child placement within these institutions.

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

(a) **Place greater emphasis on financial and other support, including relevant information for parents who face difficulties in the upbringing of their children;**

(b) **Promote small-scale alternative care in institutions and establish standard procedures for the quality of the care provided in institutions, including establishing**



**standards and procedures for alternative care, including with regard to the domains of health, education and safety, and in accordance with the principles and provisions of the Convention; and**

**(c) Ensure that placement in institutions is periodically reviewed, in the light of article 25 of the Convention.**

#### **Abuse and neglect**

51. The Committee is concerned at the high prevalence of abuse, including sexual abuse, and neglect of children within the State party, and at the lack of effective measures taken to combat this problem.

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

**(a) Assess the scope, nature and causes of child abuse and neglect with a view to adopting a comprehensive strategy and effective measures and policies;**

**(b) Develop and implement an effective system for reporting child abuse and neglect to a body/authority/centre that is well trained for handling reports of child abuse in a sensitive manner which, inter alia, fully respects the child's rights to privacy;**

**(c) Provide services for the physical and psychological recovery and social reintegration to victims of sexual abuse and any other child victims of abuse, neglect, ill-treatment, violence or exploitation, and take appropriate measures to prevent the criminalization and stigmatization of victims; and**

**(d) Seek technical assistance from, inter alia, the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO).**

### **6. Basic health and welfare**

#### **Children with disabilities**

53. While acknowledging the efforts made by the State party, the Committee remains concerned at the numerous problems faced by children with disabilities. It is particularly concerned at the lack of:

**(a) Accurate disaggregated statistical data on children with disabilities;**

**(b) A comprehensive government policy for children with disabilities; and**

**(c) Integration of children with disabilities into the regular schooling system.**

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

**(a) Collect accurate disaggregated statistical data on children with disabilities;**

**(b) Establish a comprehensive policy for children with disabilities;**

(c) **Review the situation of children with disabilities, in terms of their access to employment, education, housing and health-care facilities, and allocate adequate resources to strengthen services for children with disabilities, support their families and provide training for professionals in this field;**

(d) **Formulate a strategy, one which includes appropriate teacher training, to ensure that all children with disabilities have access to education, and whenever possible they are integrated into the mainstream education system;**

(e) **Ensure accessibility to all public buildings as well as to the transport system;**

(f) **Take note 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); and**

(g) **Seek technical cooperation from, among others, UNICEF and WHO.**

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

55. The Committee notes the efforts undertaken by the State party in the area of basic health and welfare, such as the immunization programme and control of diarrhoeal diseases, and the consequent improvements such as, inter alia, the decrease in the infant and under-five mortality rates. The Committee also welcomes the adoption of a Strategy for the Integrated Management of Childhood Illnesses (IMCI). However, the Committee is deeply concerned about the health situation and the fact that only 50 per cent of the population has access to health services. Particular matters of concern are:

(a) The relatively low spending on health in the State party;

(b) The insufficient focus on preventive health care;

(c) The still-high infant, under-five, and maternal mortality rates, partly due to the weak antenatal and post-natal care and maternal malnutrition;

(d) The high prevalence of malnutrition among children;

(e) The poor provision of health care, particularly in rural areas, due to lack of necessary support structures such as education, communication, transport and other facilities; and

(f) The high population growth rate.

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

(a) **Allocate appropriate financial and human resources to the area of health, with special attention to hiring female health workers and developing and implementing comprehensive policies and programmes to improve the health situation of children;**

- (b) Emphasize the role of preventive health care;**
- (c) Continue to strengthen the efforts to decrease the infant, under-five, and maternal mortality rates through, inter alia, providing adequate ante- and post-natal care;**
- (d) Improve access to health care, especially within rural areas, through coordinated and comprehensive health-care strategies with time-bound targets; and**
- (e) Improve access to family planning involving both men and women.**

#### **Adolescent health**

57. While taking note of the efforts made by the State party, including the establishment of the National Programme to Prevent and Combat AIDS, the Committee is concerned at the lack of statistical data and the inadequate access by adolescents to reproductive and mental health-care facilities.

58. **The Committee recommends that the State party continue to strengthen its efforts to address adolescent health issues and develop a comprehensive policy to ensure reproductive and mental health counselling and services for all adolescents. The Committee also 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. It further recommends that the State party seek technical assistance from, among others, WHO, UNICEF and the United Nations Population Fund (UNFPA).**

#### **Harmful traditional practices**

59. While taking note of the efforts made by the State party to address the issue of female genital mutilation (FGM) and harmful traditional practices, the Committee reiterates its concern at the existence of harmful traditional practices in certain regions of the State party, including FGM, early marriages and deprivation of education.

60. **The Committee recommends that the State party, as a matter of urgency, undertake all necessary measures to eradicate harmful traditional practices, particularly those affecting the girl child, and those harmful to the physical and psychological well-being of children.**

#### **Right to an adequate standard of living**

61. The Committee is very concerned at the high number of children living in poverty in the State party.

62. **In accordance with article 27 of the Convention, the Committee recommends that the State party:**

- (a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;**

**(b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Programme and in all programmes intended to improve the standard of living in the country;**

**(c) Reform the social security system, with a view to broadening its coverage.**

## **7. Education, leisure and cultural activities**

63. The Committee welcomes the information regarding the efforts made by the State party to enhance the quality of education and improve the quality of teaching and working conditions of teachers. However, it remains deeply concerned that:

- (a) The quality of education remains still very deficient;
- (b) The level of illiteracy of women is high;
- (c) School enrolment rates remain very low;
- (d) Dropout rates are very high and secondary education enrolment rates have decreased;
- (e) Urban/remote/rural disparities remain very high;
- (f) Negative stereotypes of girls remain in school curricula; and
- (g) The qualifications of children entering the labour market are very low as a consequence of missing vocational training.

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

**(a) Ensure that primary education is free and compulsory for all children, as provided for in the Constitution and in the Rights of the Child Act;**

**(b) Ensure that adequate resource allocation is made for primary, secondary and vocational education;**

**(c) Continue its efforts to ensure that all children have equal access to educational opportunities with a view to eliminating the prevailing disparities between girls and boys as well as in urban and rural areas;**

**(d) Take the necessary measures to decrease the high rate of school dropout;**

**(e) Taking into account the Committee's general comment No. 1 (2001) on the aims of education, strengthen its efforts to include human rights education in school curricula at all levels, particularly with respect to the development of and respect for human rights, tolerance and equality of the sexes and ethnic minorities;**

**(f) Enhance the quality of education at all levels and provide better quality training for teachers; and**

**(g) Expand the system of vocational training, including children who dropped out of school before completing their education.**

## **8. Special protection measures**

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

65. The Committee notes the various measures adopted by the State party in order to address the problem of child labour, including the establishment of a child labour unit within the Ministry of Social Affairs and Labour and the appointment of a national coordinator for the International Labour Organization International Programme on the Elimination of Child Labour (IPEC). However, the Committee remains deeply concerned about:

(a) The high prevalence of child labour and the fact that the phenomenon is widely accepted in society; and

(b) The fact that many child labourers, notably children working as domestic servants, are very vulnerable to abuse, including sexual abuse, and completely lack protection.

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

(a) **Continue to strengthen its efforts to eradicate child labour, in particular by addressing the root causes of economic exploitation through poverty eradication and access to education;**

(b) **Ensure the effective implementation of the ILO Convention No. 138 (1973) concerning the minimum age for admission to employment as well as the ILO Convention No. 182 (1999), in particular by taking measures to ensure that no child under 18 is involved in hazardous work, establishing clear regulations for light work for children under 15, and ensuring proper registration of employees of all working children in line with the suggestions by the ILO Committee of Experts;**

(c) **Undertake a study to address the problems faced by children working in the informal sector, including those working as domestic servants and ensure their rights to education, health and family links; and**

(d) **Develop a comprehensive child labour monitoring system in collaboration with NGOs, community-based organizations and ILO/IPEC.**

### **Sexual exploitation**

67. The Committee is concerned that, regardless of the fact that child sexual abuse and sexual exploitation of children are reported to be problems in the State party, those issues have not been sufficiently addressed. The Committee is particularly concerned at:

(a) The absence of statistics and data on the issue of child sexual abuse; and

(b) Traditional attitudes regarding the subject which mean that a majority of abuse cases go unreported.

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

- (a) **Undertake a study on the prevalence of sexual abuse and exploitation;**
- (b) **Take all necessary measures to prevent and end this practice through a comprehensive strategy, notably by holding debates and launching awareness campaigns;**
- (c) **Ensure that victims of sexual abuse and exploitation have access to appropriate recovery and reintegration programmes and services;**
- (d) **Provide the Hot-Line Telephone Service for Psychological Aid with adequate human and financial resources; and**
- (e) **Seek assistance from, inter alia, WHO and UNICEF.**

#### **Substance abuse**

69. The Committee is concerned at the high number of people chewing *quat* among whom are a significant number of children.

70. **The Committee recommends that the State party consider *quat* as a dangerous substance and take all necessary measures to raise awareness on the risks of its consumption and to prohibit access to it by children.**

#### **Trafficking of children**

71. The Committee is deeply concerned at the information that many children are trafficked to Saudi Arabia, often with the support of their parents, and that quite a number of them are sent back to Yemen and end up in the streets of larger cities.

72. **The Committee urges that the State party strengthen its efforts to address this problem and pay particular attention, in close cooperation with the authorities of Saudi Arabia, inter alia, to children who are abused and exploited and undertake measures to prevent children who are sent back from ending up in the streets. The Committee also recommends that the State party undertake awareness campaigns on the risks that children are running when they are sent abroad.**

#### **Street children**

73. While welcoming the Programme for the Protection and Rehabilitation of Street Children and the construction of the Safe Childhood Centre in the capital municipality, also extended to the governorate of Aden, the Committee expresses its concern at the increasing number of street children and the vulnerability of these children to sexual abuse and exploitation and at the lack of a systematic and comprehensive strategy to address the situation and protect these children.

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

- (a) **Develop a comprehensive strategy to address the increasingly high number of street children, with the aim of preventing and reducing this phenomenon;**

**(b) Promote and facilitate the reunification of street children with their parents and other relatives or alternative carers; and**

**(c) Ensure that street children are provided with adequate nutrition and shelter, as well as with health care and educational opportunities, in order to support their full development and to provide these children with adequate protection and assistance.**

#### **Administration of juvenile justice**

75. The Committee welcomes the Supreme Council Decree establishing a number of juvenile courts and centres in the State party. However, the Committee is concerned at the very low minimum age of criminal responsibility (7 years) and other shortcomings in the juvenile justice systems.

76. The Committee recommends that the State party ensure the full implementation of juvenile justice standards and in particular articles 37, 40 and 39 of the Convention, 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) and 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, the Vienna Guidelines for Action on Children in the Criminal Justice System, and that due regard be taken of the Committee's 1995 discussion day on the administration of juvenile justice.

77. In this regard, the Committee recommends that the State party:

**(a) Raise the minimum age of criminal responsibility to an internationally acceptable level;**

**(b) Develop an effective system of alternative sentencing for persons below 18 who are in conflict with the law, such as community service and restorative justice, with the view inter alia, to ensuring that deprivation of liberty is a measure of last resort;**

**(c) Guarantee that all children have right to appropriate legal assistance and defence;**

**(d) Take necessary measures to make the deprivation of liberty as short as appropriate, inter alia by using suspended sentencing and conditional release;**

**(e) Ensure that persons below 18 in detention are separated from adults;**

**(f) Ensure that persons below 18 remain in regular contact with their families while in the juvenile justice system;**

**(g) Provide ongoing training for judges and law-enforcement officials; and**

**(h) Seek assistance from, inter alia, OHCHR, the Centre for International Crime Prevention, and UNICEF.**

## **9. Optional Protocols to the Convention on the Rights of the Child and Amendment to article 43 (2) of the Convention**

78. The Committee notes the information provided by the delegation that the State party ratified the Optional Protocol to the Convention on the involvement of children in armed conflict in August 2004, but urges it to transmit without undue delay the instrument of ratification to the Secretary-General, including the necessary binding declaration and description of safeguards required under article 3, paragraph 2, of the Protocol.

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

### **Follow-up**

79. 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 members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or state governments and Parliament, when applicable, for appropriate consideration and further action.

### **Dissemination**

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

## **11. Next report**

81. The Committee, aware of the delay in the State party's reporting, wants to underline the importance of a reporting practice in full compliance with the rules set in article 44 of the Convention. Children have the right that the United Nations committee in charge of regularly examining the progress made in the implementation of their rights has the opportunity to do so. The Committee appreciates the State party's performance. In this regard, the Committee invites the State party to submit its fourth periodic report by 30 May 2008, which should not exceed 120 pages (see CRC/C/148).

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