



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fourth to sixth periodic reports of Bahrain\*

#### I. Introduction

1. The Committee considered the combined fourth to sixth periodic reports of Bahrain (CRC/C/BHR/4-6) at its 2350th and 2351st meetings (see CRC/C/SR.2350 and 2351), held on 18 and 21 January 2019, and adopted the present concluding observations at its 2370th meeting, held on 1 February 2019.

2. The Committee welcomes the submission of the combined fourth to sixth periodic reports of the State party and the written replies to the list of issues (CRC/C/BHR/Q/4-6/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, in particular the ratification in 2011 of the Convention on the Rights of Persons with Disabilities. The Committee notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention on the Rights of the Child, in particular the Child Act in 2012, the Family Act in 2017, the first national strategy for children, covering the period 2013 to 2017, and the National Youth Strategy, as well as the establishment of the National Institution for Human Rights in 2014. It welcomes the increase in budgetary resources, including for the National Committee for Childhood, to implement children's rights; the various measures taken to promote the rights of children with disabilities; and the significant progress made in achieving the Sustainable Development Goals, in particular in the areas of health and education.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 17), nationality (para. 22), freedom of expression, association and peaceful assembly (para. 24),

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\* Adopted by the Committee at its eightieth session (14 January–1 February 2019).



torture and other cruel or degrading treatment or punishment (para. 27), sexual exploitation and abuse (para. 31) and juvenile justice (para. 44).

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and its Optional Protocol on the involvement of children in armed conflict and Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It also urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 4, 42 and 44 (6))**

### **Legislation**

6. While noting with appreciation the adoption of the Child Act in 2012 and the Family Act in 2017, the Committee recommends that the State party:

(a) Conduct a comprehensive review of existing legislation, in line with the Committee's previous recommendations (CRC/C/BHR/CO/2-3, paras. 9 and 48), to ensure that all laws, including under Sunni law, Jaffari law and civil law, and all established interpretations thereof are harmonized and in full compliance with the Convention;

(b) Introduce a child rights impact assessment procedure for all new legislation adopted at the national level;

(c) Expediently pass into law the correctional justice bill, the amendment to the Citizenship Act and other measures aimed at harmonizing the legislation of Bahrain with the Convention on the Rights of the Child.

### **Comprehensive policy and strategy**

7. While welcoming the adoption of the first national strategy for children, covering the period 2013 to 2017, and the related action plan, which apply also to children who are not nationals of the State party, the Committee notes that the strategy was extended for an additional five years. It recommends that the State party:

(a) Update the action plan and implement the remainder of the national strategy, with due regard to an evaluation of its effectiveness and impact over the period 2013 to 2017, to ensure full implementation by the revised end date of 2022;

(b) Ensure that the national strategy is well-resourced and implemented with the full participation of non-governmental organizations and children, and establish mechanisms for monitoring and evaluation to regularly assess progress achieved and address shortcomings.

### **Coordination**

8. The Committee, while welcoming the reforms of the National Committee for Childhood and increased allocation of resources for its activities, recommends that the State party:

(a) Ensure that the National Committee for Childhood is fully functional and has sufficient authority and resources to coordinate all activities related to the implementation of the Convention at the cross-sectoral, national, regional and local levels;

(b) Strengthen multisectoral coordination and information-sharing between bodies and institutions to effectively implement the Convention and the Child Act at all levels.

### Allocation of resources

9. In view of the recognition by the State party of the challenges in identifying and assessing the impact of budget allocations for children, and with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party utilize a child-rights approach to the State budget, including by:

(a) Specifying clear allocations to children in the relevant sectors and agencies, with priority given to the areas of health, education and child protection, and using budget classification systems that allow expenditures related to the rights of the child to be reported, tracked and analysed;

(b) Implementing a tracking system for the allocation and the use of resources for children in the budget, in order to regularly assess how investments in any sector may serve the best interests of the child and to measure the impact of such investment on children.

### Data collection

10. The Committee notes with appreciation the efforts to improve data collection, and recommends that the State party:

(a) Ensure that the data and indicators cover all areas of the Convention, including health, education and child protection, and are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;

(b) Take into account the conceptual and methodological framework set out in the guidance of the Office of the United Nations High Commissioner for Human Rights entitled *Human Rights Indicators: A Guide to Measurement and Implementation* when defining, collecting and disseminating statistical information.

### Independent monitoring

11. While welcoming the establishment of the National Institution for Human Rights in 2014, and the independent mechanisms and procedures to receive complaints from or on behalf of children, the Committee recommends that the State party ensure that the institution receives, investigates and addresses complaints by children in a child-friendly and sensitive manner and without the requirement to notify their parents, guardians or legal representatives in order to lodge the complaint. It further recommends that the State party ensure the privacy and protection of child victims, and undertake monitoring, follow-up and verification activities for victims.

### Dissemination, awareness-raising and training

12. The Committee recommends that the State party:

(a) Strengthen its awareness-raising programmes, including campaigns, on the Convention and its Optional Protocols through greater media and social media engagement, and ensure that all public outreach activities are implemented in a child-friendly manner and with the active involvement of children;

(b) Strengthen its efforts to provide continuous capacity-building and training for professional groups working with and for children, including parliamentarians, judges, lawyers, law enforcement officials, health personnel, teachers, social workers, media professionals, and staff of relevant ministries, the National Institution for Human Rights and the Office of the Ombudsman on issues related to children's rights;

(c) Ensure regular assessment and evaluation of these programmes and activities.

### Cooperation with civil society

13. The Committee is concerned about reports of restrictions on the work of civil society organizations and human rights defenders, including those working on children's rights; the increasing number of reports of intimidation, harassment and arbitrary detention of human rights defenders; and the absence of alternative reports received by the Committee from national civil society organizations on the implementation of the Convention in the State party. The Committee reminds the State party of the important role of independent civil society organizations and human rights defenders in promoting the human rights of children, and urges the State party, in line with the Committee's previous recommendations (CRC/C/BHR/CO/2-3, para. 27), to:

(a) Ensure the autonomy and independence of civil society organizations and human rights defenders in promoting children's rights and in exercising their right to freedom of expression and opinion without being subjected to harassment or arbitrary detention, including by expeditiously adopting the draft law on civil society, as previously recommended by the Committee;

(b) Promptly and thoroughly investigate all cases of violence committed against human rights defenders, including child human rights defenders, and ensure that those defenders have adequate access to justice and receive protection from future harassment, intimidation, retaliation and violence;

(c) Systematically engage civil society organizations working in the field of children's rights in the planning, implementation, monitoring and evaluation of policies, plans and programmes relating to the Convention and the promotion of children's rights.

### Children's rights and the business sector

14. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, and recalling its previous recommendations (CRC/C/BHR/CO/2-3, para. 21), the Committee recommends that the State party establish and implement regulations to ensure that the business sector, including multinational corporations domiciled in the State party, complies with international and national human rights, labour, environment and other standards in relation to children's rights. In particular, it recommends that the State party establish a clear regulatory framework for the industries operating in the State party to ensure that their activities do not negatively affect children's rights.

## B. Definition of the child (art. 1)

15. In view of the fact that the legal minimum age of marriage is 16 years, and that the sharia courts may grant permission for girls under the age of 16 years to marry, the Committee recalls its previous recommendation (CRC/C/BHR/CO/2-3, para. 29) and recommends that the State party:

(a) Amend the Family Act to ensure that the minimum age of marriage is established at 18 years for both girls and boys and remove all exceptions that allow marriage under the age of 18 years;

(b) Take all measures necessary, including through awareness-raising programmes, to eliminate child marriage in line with the State party's obligations under the Convention.

## C. General principles (arts. 2, 3, 6 and 12)

### Non-discrimination

16. The Committee remains deeply concerned about persistent de facto discrimination against girls, children with disabilities, Baharna and Ajam children and children born to foreign or stateless fathers, the lack of comprehensive legislation prohibiting all forms of discrimination, and girls not having inheritance rights equal to those of boys.

17. The Committee reiterates its previous recommendations (CRC/C/BHR/CO/2-3, para. 31) and recommends that the State party:

(a) Review, as a matter of priority, its legislation and practices, with a view to prohibiting all forms of discrimination, adequately sanctioning perpetrators and providing child victims of discrimination with effective and appropriate remedies;

(b) Strengthen the effectiveness of its social protection system for all children in disadvantaged or vulnerable situations, without discrimination;

(c) Conduct comprehensive public education and awareness-raising programmes, including campaigns, to combat and prevent discrimination against girls, children with disabilities, Baharna and Ajam children and children born to foreign or stateless fathers.

### Best interests of the child

18. The Committee welcomes the inclusion of the principle of the best interests of the child in the Child Act and the Family Act. However, in the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Ensure that this right is consistently applied in all judicial proceedings and decisions, including with regard to custody and children in institutions;

(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration;

(c) Ensure that all professionals working with and for children receive training on those procedures and criteria.

### Right to life, survival and development

19. In view of the continuing high rate of deaths and injuries among children due to traffic accidents in the State party, the Committee recommends that the State party strengthen and further develop measures to prevent traffic accidents, including additional educational and other programmes on road safety and accident prevention in all school curricula; intensify its public campaigns to increase traffic awareness among children, parents, teachers and the public in general; and strictly enforce relevant traffic laws, including with regard to the use of mobile phones while driving.

### Respect for the views of the child

20. While noting with appreciation the participation of children in the development of the national strategy for children, as well as the “Your voice is heard” programme of the Ministry of Youth and Sports Affairs, the Committee recommends that the State party:

(a) Develop toolkits to standardize public consultations with children on national policy development, and ensure a high level of inclusiveness and participation of children in such consultations;

(b) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of children in the family, in the community, at school and in all judicial and administrative procedures concerning them;

(c) **Establish a consultative mechanism or structure to involve children in all affairs affecting them, including in the design of laws, policies, programmes and services, in order to facilitate children's effective engagement with national processes on issues that affect them.**

#### **D. Civil rights and freedoms (arts. 7, 8 and 13–17)**

##### **Right to a nationality and birth registration**

21. While noting Act No. 35 of 2009, granting resident permits to children of non-Bahraini men, and the 2013 waiver, granting Bahraini nationality to such children, the Committee is concerned that such measures are insufficient in guaranteeing the right of all children born to Bahraini mothers to nationality. It is also concerned about:

(a) Slow progress in its national legislation to allow the transfer of citizenship to children of Bahraini mothers and non-Bahraini fathers;

(b) The large number of children who are at risk of being stateless, including Baharna, Ajam and Bidoon children, children whose citizenship has been revoked and children born to a parent whose citizenship has changed or has been revoked;

(c) Reports of barriers faced by children of mothers in detention in obtaining a birth certificate or national identity card.

22. **Taking note of target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Expediently amend its Citizenship Act to ensure the right to a nationality for all children of Bahraini women married to non-Bahraini men, to establish safeguards to prevent children from being stateless and to ensure that the citizenship of such children is not revoked;**

(b) **Collect data on stateless children, disaggregated by, inter alia, sex, age, national and ethnic origin, and minority or socioeconomic status, and provide information on this issue in its next report;**

(c) **Guarantee the right to acquire Bahraini citizenship for all children currently residing in the State party who would otherwise be stateless, regardless of their own, or their parents', legal status;**

(d) **Consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;**

(e) **Seek technical assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF), among others, for the implementation of these recommendations.**

##### **Freedom of expression, association and peaceful assembly**

23. The Committee is deeply concerned that, under Legislative Decree No. 23 of 2013, participation in a demonstration, a march, a public gathering or a political sit-in can constitute delinquency for children under 15 years of age and that children can be arrested for participating in public demonstrations or for insulting and criticizing public officials.

24. **The Committee urges the State party to ensure full respect for the right of all children, including child human rights defenders, to freedom of expression, association and peaceful assembly as guaranteed by the Convention, including by repealing all laws and regulations that restrict that right and by raising awareness and building the capacity of families, teachers and government officials to respect the exercise of those freedoms by children.**

##### **Access to appropriate information**

25. **Noting with concern the censorship of information through laws regulating the press and the Internet, which undermines the right of children to access information,**

the Committee recommends that the State party review its laws and policies in order to guarantee children's access to age-appropriate information, while ensuring the independence of the national media.

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Torture and other cruel or degrading treatment or punishment**

26. While the Committee welcomes the establishment of a special investigation unit in 2012 to investigate allegations of torture, it remains deeply concerned at the arbitrary detention of children, reports of the ill-treatment of children by police and in detention centres, including through the use of tear gas during the riot in Jau prison in 2015, and the alleged use of torture by law enforcement officials to elicit confessions from children in detention.

27. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals and recommendations of the Human Rights Committee (CCPR/C/BHR/CO/1, para. 38) and the Committee against Torture (CAT/C/BHR/CO/2-3, para. 25), the Committee recommends that the State party:

(a) Take all necessary measures to prevent and prohibit, and to protect children from, all forms of torture or other cruel, inhuman or degrading treatment or punishment;

(b) Strengthen independent monitoring of child detention facilities, investigate thoroughly all allegations of torture and ill-treatment of children in detention by public officials, publish the results of any investigations conducted by the special investigation unit, and ensure that perpetrators are prosecuted and receive punishments commensurate with the gravity of their crimes;

(c) Provide adequate reparations, rehabilitation and recovery programmes for child victims of such abuses;

(d) Ensure the accessibility of the existing mechanisms for receiving complaints of ill-treatment or abuse from or on behalf of children.

### **Corporal punishment**

28. While noting the implementation of awareness-raising programmes on positive forms of child-rearing, the Committee is concerned that corporal punishment is still permitted in alternative care settings, in the home and in the administration of justice, and urges the State party to:

(a) Explicitly prohibit, through legislative and administrative provisions, the use of corporal punishment, however light, in all settings, including in early childhood care institutions, in alternative care settings, in the home and in the administration of justice, and ensure that its prohibition is adequately monitored and enforced in all settings;

(b) Strengthen and expand new and existing awareness-raising programmes, including campaigns, among parents, teachers and relevant professional groups to promote positive, non-violent and participatory forms of child-rearing and discipline, and to promote a change in the mindset with regard to corporal punishment in all settings.

### **Abuse and neglect**

29. Noting with appreciation the adoption of Act No. 17 of 2015 concerning protection against domestic violence, the establishment of counselling centres and shelters for victims and the implementation of related awareness-raising programmes, the Committee recommends that the State party:

(a) Effectively enforce Act No. 17 of 2015 concerning protection against domestic violence, and take concrete measures to change attitudes, traditions, customs and behavioural practices that often serve as a justification for domestic violence, especially against girls;

(b) Further strengthen awareness-raising and education programmes, including campaigns, aimed at preventing and tackling such violence, including by involving former victims, volunteers and community members, and providing training support to them;

(c) Ensure that children and mothers who are victims of domestic violence are provided with appropriate medical, legal and psychological assistance and housing support, and increase the number of shelters available for victims;

(d) Establish a national database for all cases of violence against children, including ill-treatment, sexual abuse, child abuse and neglect and domestic violence, and develop and implement a monitoring and evaluation system to help determine how child protection systems can best address violence against children.

#### **Sexual exploitation and abuse**

30. While noting with appreciation the support services available to child victims of sexual abuse through the Child Protection Centre, the Committee remains seriously concerned that perpetrators of rape can be exempt from prosecution and punishment if they marry their victims, that child victims of sexual abuse are often treated as offenders and not as victims, and that penalties are reduced for perpetrators of crimes committed in the name of so-called honour. It is also concerned about the lack of statistical data on the prevalence of, and prosecutions for, sexual exploitation and abuse of children.

31. Taking note of target 5.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Expediently repeal articles 353 and 334 of the Penal Code, which, respectively, exempt perpetrators of rape from prosecution and punishment if they marry their victims and reduce penalties for perpetrators of crimes committed in the name of so-called honour;

(b) Ensure that all forms of sexual abuse against children are criminalized and that all children subjected to any form of sexual exploitation are treated as victims and not subject to criminal sanctions;

(c) Duly prosecute and punish perpetrators with sanctions commensurate with the gravity of their crimes;

(d) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation, and ensure that reporting channels are accessible, confidential and child-friendly;

(e) Develop programmes and policies for the prevention of sexual exploitation and abuse, and the recovery, social reintegration and psychological assistance of child victims.

#### **Helplines**

32. The Committee welcomes the establishment of 24-hour, nationwide toll-free helplines for children who wish to make inquiries or seek advice, without the consent of their parents or guardians, on human rights violations and for child victims of violence hosted by, respectively, the National Institution for Human Rights and the Child Protection Centre, and recommends that the State party promote awareness of how children can access these helplines and that it continue to provide the necessary human, financial and technical resources for their effective functioning.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Family environment**

33. Noting with concern that the law in the State party provides automatic solutions for the residence (*hadana*) of children after divorce or separation, without an individual assessment of their best interests, that the law regulates residence and other family relations differently for girls and boys, and that fathers have priority in the guardianship of their children, the Committee recommends that the State party:

(a) Review its legislation relating to the residence (*hadana*) of the child to ensure that all decisions taken are based on the principle of the best interests of the child, and that the views of children, girls and boys alike, are taken into account;

(b) Harmonize its legislation on family relations, with a view to ensuring the equal rights of all girls in family relations and repealing all provisions that discriminate against women and girls, such as those regulating inheritance;

(c) Ensure that mothers and fathers equally share the legal responsibility for their children, in accordance with article 18 (1) of the Convention.

**Children deprived of a family environment**

34. With concerns about the extensive use of placement in institutions for children deprived of a family environment and the absence of alternative care institutions for children between the ages of 15 and 18 years, the Committee recommends that the State party:

(a) Further support and prioritize family-based care for all children under the age of 18 years who cannot stay with their families, including its foster care programme for children, with a view to reducing the institutionalization of children;

(b) Ensure adequate safeguards and clear criteria, based on the best interests of the child, for determining whether a child should be placed in alternative care;

(c) Ensure periodic review of the placement of children in foster care and alternative care institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying ill-treatment of children;

(d) Provide continuous capacity-building and training for foster parents, staff of the Ministry of Labour and Social Development, social workers and staff working in alternative care institutions on children's rights and the particular needs of children deprived of a family environment.

**Children of imprisoned parents**

35. The Committee recommends that the State party give primary consideration to the best interests of the child by considering alternatives to the detention of mothers and, only if such alternatives are not found, provide all the necessary human and financial resources and support to children living in detention with their mothers. It also recommends that the State party provide any psychological and other support necessary to children whose parents have been sentenced to death or life imprisonment.

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)**

**Children with disabilities**

36. While commending the State party on the establishment of the High Committee for the Welfare of Persons with Disabilities and the adoption of the National Strategy

for Persons with Disabilities and the National Special Education Strategy, the Committee recommends that the State party continue to promote a human rights-based approach to disability, and:

- (a) Undertake a comprehensive study, with data disaggregated by, inter alia, age, sex, type of disability, ethnic and national origin and geographic location, on the situation of children with disabilities and analyse the effectiveness of the implementation of the Convention and the existing laws and policies;
- (b) Ensure that laws, policies and programmes, including the education development plan, guarantee all children with disabilities the right to inclusive education in mainstream schools;
- (c) Continue to give priority to measures that facilitate the full inclusion of children with disabilities, including those with intellectual and psychosocial disabilities, in all areas of public life, including leisure activities, community-based care and provision of social housing with reasonable accommodation.

#### Health and health services

37. With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

- (a) Continue targeted interventions to prevent and treat iron-deficiency anaemia and sickle-cell anaemia among children, including by expanding its programme for fortifying flour with iron and folic acid; ensuring early diagnosis and treatment for children with sickle-cell anaemia; evaluating and strengthening awareness-raising activities aimed at preventing the incidence of sickle-cell anaemia among children; and allocating sufficient resources to the nutrition section of the Department of Public Health;
- (b) Intensify measures to combat obesity and raise awareness about healthy nutrition among parents, children and the general public; promote healthy eating habits, particularly among young children and adolescents; and develop regulations regarding the marketing of unhealthy food that have a negative effect on children's health;
- (c) Strengthen measures to reduce the premature birth rate and to eliminate preventable infant mortality, including by applying the Office of the United Nations High Commissioner for Human Rights technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31);
- (d) Develop and implement a national programme on providing treatment for mothers affected by HIV to prevent mother-to-child transmission and ensuring early diagnosis and early initiation of treatment of children;
- (e) Strengthen its efforts in favour of breastfeeding, including by taking measures to enforce Decision No. 7 of 2018 regulating the use, sale and marketing of breast-milk substitutes, in line with the International Code of Marketing of Breast-milk Substitutes; fully implementing the baby-friendly hospital initiative; encouraging flexible working arrangements; and raising awareness, including through the media, of the importance of breastfeeding among families and the general public.

#### Adolescent health

38. Noting with concern that the State party has not recognized rape and incest as valid grounds for abortion, the Committee recommends, in the light of its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, that the State party:

- (a) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their

views are always heard and given due consideration as a part of the decision-making process;

(b) Prioritize the roll-out of the reproductive health and puberty programme for adolescents (*Kabarna*) to all schools, and ensure that it includes education on preventing early pregnancy and sexually transmitted infections, as well as life-skills education on preventing substance abuse;

(c) Ensure a uniform and integrated system of child and adolescent mental health services throughout the State party, equipped with sufficient human, technical and financial resources, and set up an effective monitoring system for child and adolescent mental health;

(d) Strengthen measures to address tobacco and drug use by children and adolescents by, *inter alia*, strengthening the enforcement of laws prohibiting the sale of tobacco to children, expanding programmes and services to address substance abuse, and ensuring that drug dependence treatment and harm reduction services are accessible and child-friendly.

## **H. Education, leisure and cultural activities (arts. 28–31)**

### **Education, including vocational training and guidance**

39. While welcoming the advances made in the education and vocational training of girls, the Committee remains concerned about persistent gender stereotypes regarding certain areas of education, and recommends that the State party:

(a) Review and update school curricula and texts at all levels, with a view to eliminating discrimination and gender stereotypes, addressing the structural causes of gender-based discrimination, diversifying the educational and vocational choices of girls and boys and encouraging girls to be interested in all possible educational and vocational training;

(b) Allocate sufficient financial resources for the development and expansion of public early childhood care and education, based on a comprehensive and holistic policy of early childhood care and development, and strengthen mechanisms for monitoring the compliance of private preschools and day-care institutions with minimum educational standards, curriculum requirements and teacher qualifications, taking note of target 4.2 of the Sustainable Development Goals;

(c) Strengthen retention programmes and readmission policies for children who have dropped out of school.

### **Human rights education**

40. Taking note of target 4.7 of the Sustainable Development Goals, the Committee welcomes the introduction in 2004 of human rights education at all levels of education, and recommends that the State party ensure that the human rights education curricula is age-appropriate, is based on the principles and provisions of the Convention, and takes into account the framework of the World Programme for Human Rights Education.

### **Rest, leisure, recreation and cultural and artistic activities**

41. The Committee welcomes the various educational, cultural and sports programmes of the Ministry of Labour and Social Development, the Ministry of Youth and Sports Affairs and the National Institution for Human Rights, and recommends, in accordance with its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, that the State party:

(a) Strengthen its efforts to guarantee the right of the child to freely engage in age-appropriate recreational activities, cultural life and the arts, based on the

principles of inclusion, participation and non-discrimination, including by ensuring their access to adequate public spaces for play, recreation and cultural and sports activities;

(b) Ensure that all children, including children with disabilities, irrespective of nationality or ethnic origin, have access to safe, accessible and inclusive spaces for play and socialization, as well as public transport to access such spaces;

(c) Fully involve children in planning, designing and monitoring the implementation of policies and programmes relevant to leisure, play, recreation, cultural life and the arts.

## **I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)**

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

42. The Committee reiterates its previous recommendations (CRC/C/BHR/CO/2-3, para. 66) and recommends that the State party align its national law with the dispositions of the Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, strengthen monitoring and inspection mechanisms and thoroughly investigate and sanction violations.

### **Administration of juvenile justice**

43. The Committee notes the information provided by the State party that a bill on correctional justice for children and their protection from ill-treatment has been drafted, but is concerned about the timeline for the adoption of the bill. In the absence of necessary reforms, the Committee remains deeply concerned about:

(a) The age of criminal responsibility, which is still set at 7 years of age, and the prosecution of children who are above 15 years of age as adult offenders;

(b) The lack of alternative measures to detention for child offenders, and that the draft bill introduces such measures only for children with disabilities who are accused of criminal offences;

(c) Reports of extrajudicial arrests and incommunicado detention of children, torture and ill-treatment of children in detention, and children being held in detention facilities with adults;

(d) The execution on 15 January 2017 of Ali Abdulshaheed Yousef al-Singace, who was under 18 years of age at the time of the commission of the alleged crime.

44. With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, and recalling recommendations of the Human Rights Committee (CCPR/C/BHR/CO/1, paras. 32, 38 and 42) and the Committee against Torture (CAT/C/BHR/CO/2-3, para. 27), the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:

(a) Adopt, without delay, the bill on correctional justice for children, which would, *inter alia*, introduce juvenile courts, raise the age of criminal responsibility to an internationally acceptable level and prohibit the imposition of the death penalty or life imprisonment for crimes committed by persons under 18 years of age; and in the meantime, halt all executions of persons who committed crimes while under 18 years of age;

(b) Ensure the provision of qualified, free and independent legal aid to children in conflict with the law from the beginning of the investigation and throughout the legal proceedings, and grant access to a lawyer and to family immediately after arrest;

(c) Ensure that extrajudicial arrest of persons under 18 years of age cannot take place;

(d) Promote non-custodial and non-judicial measures to detention, such as diversion, probation, mediation, counselling or community service, wherever possible, for all child offenders;

(e) Ensure that detention is used as a measure of last resort and for the shortest possible period of time, that children are separated from adults and that detention is reviewed on a regular basis with a view to its withdrawal, and that arbitrary detention of children is never possible;

(f) In cases where detention is unavoidable, ensure that detention conditions for children are compliant with international standards, particularly with regard to access to health and education benefits, including vocational and life-skills training, recreation, physical and psychological recovery services and social reintegration programmes, and that incommunicado detention, torture and ill-treatment of children do not occur.

#### **Child victims and witnesses of crime**

45. While welcoming amendments made to the Code of Criminal Procedure in 2012 to provide protection to victims and witnesses, the Committee recommends that the State party ensure that all child victims and witnesses of crime, including child victims of sexual exploitation and abuse, domestic violence and economic exploitation, and witnesses of such crimes, are provided with the protection required by the Convention and that the State party fully take into account the Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime. The Committee further recommends that the State party ensure that child victims of sale and trafficking receive the protection of the Optional Protocol on the sale of children, child prostitution and child pornography, to which the State party acceded in 2004.

#### **J. Ratification of the Optional Protocol on a communications procedure**

46. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol on a communications procedure.

#### **K. Ratification of international human rights instruments**

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following human rights instruments:

(a) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) International Convention for the Protection of All Persons from Enforced Disappearance;

(c) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(d) Optional Protocol to the Convention on the Rights of Persons with Disabilities.

48. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, the reports of which have been overdue since 21 September 2004.

## **IV. Implementation and reporting**

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

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fourth to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. National mechanism for reporting and follow-up**

50. The Committee recommends that the State party establish a national mechanism for reporting and follow-up as a standing government structure that is mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.

### **C. Next report**

51. The Committee invites the State party to submit its seventh periodic report by 14 March 2024 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

52. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.

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