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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-second session

SUMMARY RECORD OF THE 852nd MEETING*

Held at the Palais Wilson, Geneva,
on Friday, 24 January 2003, at 10 a.m.

Chairperson: Mr. DOEK

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* No summary record was issued for the 851st meeting.

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of the Czech Republic (CRC/C/83/Add.4; CRC/C/Q/CZE/2; CRC/C/RESP/23; HRI/CORE/1/Add.71)

1. At the invitation of the Chairperson, Mr. Bureš, Mr. Jařab, Ms. Novotná, Mr. Schorm, and Ms. Škopová (Czech Republic) took places at the Committee table.
2. Mr. JAŘAB (Czech Republic) said that his Government had been engaged in the ongoing enhancement of human rights protection since the country became independent in 1993. Once civil and political rights had been consolidated, the emphasis had gradually switched to the protection of vulnerable groups. Children, especially those in institutional care or suffering from mental or physical disabilities, were among the most vulnerable groups in society. The Government was making efforts to ensure the smooth transition from a rigid, authoritarian system to a set of more flexible protection mechanisms designed to meet the individual needs of each child. That process was, however, hindered by entrenched working methods and resistance to change.
3. The creation of the Human Rights Council in 1998 had ushered in a series of significant improvements in the human rights framework. The Council had established several committees, including the Czech Committee on the Rights of the Child, comprising of representatives of civil society and government ministries, entrusted with developing policy proposals. An Ombudsman, also known as the Public Defender of Human Rights, had also been appointed to ensure that rights were duly protected.
4. A dramatic process of legislative change, including substantial amendments to the Family Act, the Social and Legal Protection of Children Act and the Institutional, Protective and Preventive Care Act, was underway. Several international agreements, including the Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption and the Optional Protocol on the involvement of children in armed conflict, had been ratified. The Optional Protocol on the sale of children, child prostitution and child pornography was ready to be submitted for ratification.
5. In line with its policy of frank and open dialogue with human rights monitoring mechanisms, his Government looked forward to a constructive exchange of views with the Committee as a valuable opportunity to accelerate the process of social change.
6. The CHAIRPERSON invited members of the Committee to put questions to the delegation concerning general measures of implementation and the definition of the child.
7. Ms. TIGERSTEDT-TÄHTELÄ said that the report had, in general, followed the guidelines of the Committee and taken a refreshingly self-critical approach. However, it had focused too heavily on legislation, and contained too little information on the difficulties of implementing the Convention. She drew attention to shortcomings affecting the internal

coordination of child-related policies and strategies and the mechanisms for monitoring implementation. Her main concerns related to poverty, discrimination, institutionalization, child abuse, sexual exploitation, trafficking and juvenile justice. She asked for more details concerning the Social and Legal Protection of Children Act, which had entered into force in 2002. She understood that the new Schools Act had yet to be fully implemented and enquired when it had been adopted.

8. Government expenditure on child welfare was, generally speaking, a useful guide to the priority States parties attached to implementation of the Convention. She therefore welcomed the information provided on the allocation of resources between 1995 and 1999 for the protection of children. However, given the absence of statistics for the next three years, it was unclear what progress had been made, although between 2000 and 2002 funding from the Ministry of Labour and Social Affairs for the child welfare activities of non-governmental organizations (NGOs) had increased. The delegation should explain whether sufficient resources were available for the health and education sectors and, in particular, whether the health service was functioning smoothly.

9. She would like to know why there were no programmes for the eradication of child labour, since she understood that many children were employed in agriculture or family businesses. It would be interesting to learn whether the Government had developed an overall strategy to combat poverty and social exclusion. The delegation should describe the criteria used for assessing the extent of poverty in the country.

10. Mr. AL-SHEDDI said it was difficult to understand which body was responsible for coordinating the work of government agencies on children's issues. He asked why the Ministry of the Interior had taken responsibility for distributing copies of the initial report to other ministries. He wanted to know how NGOs were involved in enhancing service provision for children, particularly in cooperation with government agencies.

11. Further details should be provided on activities to disseminate the Convention. With reference to paragraph 21 of the report, he asked what was meant by the requirement for schools to respect the Convention in day-to-day educational activities. It would be interesting to learn whether teachers and police officers received training on the Convention. Lastly, there was no evidence of an overall plan of action for children.

12. Ms. AL-THANI asked whether the integration of the Convention into the school curriculum had been successful. She enquired whether the Government had assessed the extent to which children were aware of their rights. She understood that professionals had begun to receive human rights training, but wanted to know whether the process was ongoing throughout their career. Further details should be provided of how the concluding observations on the initial report had been disseminated, and whether the mass media had been involved in raising awareness of the recommendations made by the Committee.

13. Mr. CITARELLA asked for information concerning the preparation of the report and whether NGOs had been involved. He welcomed the fact that, pursuant to article 10 of the Constitution, the Convention took precedence over domestic law. However, the status of the

Convention in relation to the Charter of Fundamental Rights and Freedoms of the Czech Republic was unclear. The delegation should explain whether specific laws were required before the provisions of the Convention entered into force.

14. He noted that the Czech Republic had no central coordinating or monitoring system and that the National Committee on Children, Young Persons and the Family had been dissolved. The working group that had replaced it was surely less effective and he wondered whether the Government had considered setting up an interministerial body.

15. Ms. CHUTIKUL sought clarification of the respective roles of the Human Rights Council and the Working Group for the Rights of the Child and of what they had achieved over the past year, for example. She asked what kind of complaints the Ombudsman dealt with, what contacts he had with the Human Rights Council, and to what extent he dealt with local government. Her understanding was that responsibility for children was to be transferred to the regional level and she wondered what the reason was and how the measure was to be implemented. She noted that the Czech Republic had no plan of action for children, apart from the National Programme for Support of Families with Children, and she wondered how that policy could be reconciled with the outcome of the United Nations General Assembly special session on children.

16. With regard to the preparation of the report, she asked whether, in the absence of a central body or mechanism, there had been much difficulty in synthesizing and coordinating the material to be included. The same problem of synthesis applied to the implementation of the Convention: she wondered how responsibility for implementation was divided among the ministries and how gaps in data were identified. In that context, she asked whether data were used only sectorally. She urged the Government to give serious consideration to a central mechanism for data collection.

17. Ms. KARP said that the written replies made only a cursory reference to the Czech Republic's reservation to article 7 of the Convention and its intention not to withdraw it. Since the Czech Republic was the only country with such a reservation, the Committee should be given a more detailed explanation. She asked about the problems encountered in connection with the Committee's recommendations following the initial report, especially with regard to human rights institutions. In that context she asked whether the Human Rights Council was independent, whether it had specialists in children's rights on its staff and whether it dealt with individuals' complaints. She similarly wondered whether the Human Rights Department was a government department, and, if so, whether that created problems. The Government might wish the Department to be independent - as the corresponding institutions in many other countries were - but that might be hard to achieve if it formed part of the Government. The Committee's General Comment No. 2 on the role of human rights institutions in the protection and promotion of the rights of the child set out the parameters for such institutions.

18. Court cases involving children tended to be long and complicated, and children were placed in institutions until their cases were completed. She wondered whether the Government intended to assess why delays occurred and whether it had plans to improve the situation. Time was of the essence for children. She also wondered whether there had been any case in which the courts had debated human rights, what issues had been involved and whether any decision on the best interests of the child had emerged. Indeed, she would be interested to know how the

term “best interests” was understood in the Czech Republic. In that context, she asked what decisions and measures relating to the violation of children’s rights in the Czech Republic had been handed down by the European Court of Human Rights.

19. Lastly, it appeared that children as young as 12 were liable to “educational sanctions”, which could involve detention in reformatories or other institutions in which they were deprived of liberty. Children under 12 brought before the civil courts risked going to the same institutions. She asked for clarification.

20. Ms. TIGERSTEDT-TÄHTELÄ asked what the effect had been of the deletion of the phrase “unless such person has attained majority earlier” from the definition of the child in section 216 (b) of the Criminal Code.

21. Ms. AL-THANI noted that six languages, including Czech itself, were spoken in the Czech Republic and she wondered whether the Convention had been translated into all those languages.

The meeting was suspended at 11.05 a.m. and resumed at 11.20 a.m.

22. Mr. JAŘAB (Czech Republic) said that the report’s focus on developments in legislation rather than on the results of implementing it reflected the fact that legislation had changed very rapidly during the period covered by the report and the additional report owing to European Union requirements. The next report would deal more with the practical results.

23. A number of criticisms had been directed at his country’s lack of a central coordinating body. It was a criticism that he accepted; clearly, monitoring or data collection, for example, should be coordinated. The situation was that ineffective centralized bodies had been abolished and a process of decentralization was under way, although its progress had not been entirely smooth. In practice, the Czech Committee on the Rights of the Child monitored implementation of the Convention. The Government’s Human Rights Department - which included the secretariat of the Human Rights Council - had compiled the report.

24. With regard to the independence of the various bodies, he said that the Human Rights Council comprised, in equal numbers, deputy ministers and representatives of civil society, who frequently made proposals that were put before the Cabinet and adopted. Various committees, formerly called working groups, brought together junior civil servants and NGO representatives, many of whom were quite radical; indeed, it could be counted a success that such committees had often been able to make consensual proposals. Above all, although the Human Rights Department was part of the Government, it acted independently and took seriously the task of reviewing legislation proposed by other branches of government. The Department’s advice was not restricted to legal matters but could also extend to policy.

25. The mandate of the Ombudsman was quite different, in that he dealt with individual complaints and was totally independent, elected by and answerable to Parliament. There was, nonetheless, fruitful cooperation between the Ombudsman’s Office, the Human Rights Department and the Human Rights Council.

26. The CHAIRPERSON said that an ombudsman's job was usually to take action on wrongful activities or omissions by local or central government. He wondered whether that applied to the Czech Ombudsman and whether he was also empowered to deal with complaints against private institutions.
27. Ms. KARP asked whether the Ombudsman had staff specializing in children or children's rights.
28. Mr. JAŘAB (Czech Republic) said that the Ombudsman's role had, so far, been largely the traditional one of dealing with action or inaction by government bodies. A proposal was currently under consideration that he should be given wider powers to investigate the complaints of a broad category of people in institutional care, including those in non-State institutions.
29. Mr. BUREŠ (Czech Republic) added that the Ombudsman had some involvement with private claims, in that any complaint against a private institution was passed to the relevant State body and, if it failed to act, the matter could be referred to the Ombudsman.
30. Mr. JAŘAB (Czech Republic) said that the NGO members of the Czech Committee on the Rights of the Child had done research on the basis of which the Human Rights Council had made recommendations concerning various aspects of children's homes, such as organization and staffing. Those recommendations had been adopted, although the authorities still had to contend with entrenched conservative views in some quarters.
31. Mr. SCHORM (Czech Republic) said, with reference to the relationship between the Convention and the Czech Charter of Fundamental Rights and Freedoms, that the latter had been adopted in 1991 in response to the need to overhaul legislation dating back to the 1960s, inherited from the totalitarian regime. It was a relatively short document, containing 44 articles dealing with various rights, including political, economic, social and cultural rights, rights of minorities and judicial protection rights. Also in 1991 a constitutional law containing the provision that international human rights treaties took precedence over domestic law had been adopted. Under that law, the Charter and international rights treaties had been placed within the purview of the Constitutional Court, as confirmed by the 1992 Constitution. The Convention was therefore protected at the highest level. In any court decision the legislation most favourable to the defendant was applied, both in the Constitutional Court and all other courts; if there was any contradiction - which in practice had not occurred - the Convention like other international human rights treaties, therefore took precedence.
32. A 2002 amendment to the Constitution provided that conventional international law took precedence over national law. However, the change from a dualist to a monist system had not changed the degree of protection provided against violations of human rights and fundamental freedoms under international treaties.
33. While the provisions of the Convention could be invoked before the national courts, its provisions were already enshrined in domestic legislation, including in the Family Act. Courts were encouraged to use the Convention as a reference for interpreting domestic legislation, particularly with regard to the principle of the best interests of the child. A Constitutional Court

decision of 1997 stipulated that the Convention should be self-executing. Although there was not a vast body of case law regarding high court decisions made on the basis of the best interests of the child, the Constitutional Court had, on certain occasions, ruled that the principle should be applied. One case had involved an unreasonably lengthy procedure, and a second case had raised the question of why young people in very different situations were entrusted to the same institutions.

34. With regard to the cases brought against the Czech Republic before the European Court of Human Rights, he said that the Czech Republic had been found guilty of human rights violations on 10 or 11 occasions since it had ratified the European Convention on Human Rights in 1992. None of those cases had involved violations of the rights of the child. It was likely that a number of new cases of human rights violations would be brought against the Czech Republic because of unreasonably lengthy court proceedings; although there had been marginal improvements in the situation, owing to the fact that courts were being provided with considerable resources in an effort to deal with the growing number of new cases and clear the backlog of unresolved cases, it was proving difficult to overcome the problem.

35. If a child was deemed to be at risk, local child protection authorities could make a recommendation to a judge that the child should immediately be removed from his or her family environment and placed in temporary care. Permanent placement required an evaluation of the situation by an expert.

36. The minimum age of criminal responsibility in the Czech Republic was currently set at 15 years. Although discussions had taken place on whether to reduce the minimum age to 14, no consensus had been reached and the Government was in favour of retaining the age of 15. While the Criminal Code contained special provisions on the prosecution of juvenile offenders aged between 15 and 18 - for example, criminal sanctions could not be imposed and offenders could be placed only in institutions with educational facilities - in practice, those provisions were not always implemented. A juvenile justice bill, which contained some provisions on children aged between 12 and 15, was awaiting consideration by the Chamber of Deputies. It also contained a provision stating that any child over the age of 15 who was incapable of forming his or her own views could not be criminally responsible.

37. In reply to a question about the amendment of section 216 (b) of the Criminal Code, he said that individuals could, in some cases, attain majority before the age of 18. For example, minors under 18 could contract marriage if they had been given permission by a judge, and could therefore enter into legal contracts. Section 216 (b) had been amended to increase protection for all persons under 18 - even if they had attained majority - against crimes such as trafficking or kidnapping. The amendment had seen some positive results.

38. In reply to a question about the Office of the Public Defender of Human Rights, he said that the Ombudsman shared his responsibilities with the Deputy Ombudsman, who was more specifically involved in defending children's rights and received complaints of violations and instigated investigations. The reports of the Office of the Public Defender indicated that the Convention was taken into consideration when action was taken. He was uncertain as to whether or not any action had ever been taken on the basis of a complaint made by a child.

39. Ms. KARP enquired whether NGOs and other organizations were allowed to monitor the situation of children in juvenile justice institutions.

40. Mr. JAŘAB (Czech Republic) said that while there was no law specifically permitting representatives of NGOs to monitor juvenile justice institutions, the NGOs involved in the National Committee on Children, Young Persons and the Family had conducted a series of visits to such institutions and had prepared a set of recommendations for the Government. Furthermore, another committee, comprising representatives of NGOs and set up to monitor compliance with the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, conducted regular visits to juvenile justice institutions. It was hoped that an amendment to the Act on the Public Defender of Human Rights would lead to systematic monitoring, to be overseen by the Ombudsman. The input of NGOs in that field was extremely significant.

41. Mr. SCHORM (Czech Republic) said that the Government had no intention, for the time being, of withdrawing its reservation to article 7 of the Convention. In the Czech Republic, in cases of irrevocable adoptions, the names of the adoptive parents replaced the names of the biological parents on the child's birth certificate and on all other documents, so as to avoid any adverse effects on the child's integration into his or her adoptive family. It was the responsibility of the adoptive parents to decide whether or not to tell the child the names of his or her natural parents.

42. The CHAIRPERSON said he was not fully satisfied with that answer. If the names of the adoptive parents replaced the names of the biological parents on official documents, could he assume that the child would never be given the opportunity to meet his or her natural parents? Under the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, to which the Czech Republic was a State party, children had the right to know as much as possible about their parents.

43. Ms. KARP asked whether the Government might consider withdrawing its reservation to the Convention. Under what circumstances would it change its position?

44. Mr. JAŘAB (Czech Republic) said he could not provide any further clarification on the Government's position vis-à-vis its reservation to the Convention. He assured the Committee that, if it wished to reiterate its concerns, its views would be transmitted to the Cabinet together with a formal proposal from the delegation that the matter should be given due consideration. There was currently no domestic pressure on the Government to withdraw the reservation; emphasis was being placed on facilitating adoption, as the Government had received criticism for its cumbersome adoption procedures, and on protecting the rights of adoptive parents.

45. The CHAIRPERSON said he would welcome further clarification of whether or not children had a right to know their biological parents. It seemed that the decision was left entirely with the adoptive parents.

46. Mr. SCHORM (Czech Republic) said that the names of a child's adoptive parents were recorded on his or her birth certificate for administrative reasons, in accordance with the principle that the adoptive parents replaced the natural parents. However, the names of the child's natural parents were recorded on the legal adoption papers, which could be made available to the child.
47. Ms. NOVOTNÁ (Czech Republic) said that the Social and Legal Protection of Children Act stipulated that the State was ultimately responsible for the protection of all children under 18 against physical and psychological abuse and for their physical, mental and moral development. Powers and responsibilities in that field lay largely with municipal authorities and the regional offices of the Ministry of Labour and Social Affairs. However, the Act made no provision for the rights and duties of parents to be exercised by any other authority, unless the child's health and development were in jeopardy.
48. The Office for the International Legal Protection of Children had been established under the Act to monitor compliance with the child-related provisions of international agreements, including the Hague Conventions on the Civil Aspects of International Child Abduction and on Protection of Children and Cooperation in respect of Intercountry Adoption.
49. The Act provided new guidelines on adoption, fostering and the placement of children in institutional care. As far as possible, institutional care should be a temporary measure only; emphasis was now placed on returning children to their family or placing them with a substitute family. Only the State authorities could make decisions relating to adoption and foster care. The Act also facilitated the work of NGOs working in the field of child protection and stipulated that State-employed social workers had to be fully qualified and pass an examination, demonstrating, inter alia, their knowledge of the Convention. The Ministry of Labour and Social Affairs had produced a document on family welfare and childcare aimed at judges, social workers, teachers, students and NGOs. In addition, special magazines were published containing up-to-date information on family law and the social and legal protection of children.
50. Ms. ŠKOPOVÁ (Czech Republic) said that the State budget covered 10 per cent of public health expenditure; the remaining 90 per cent came from health insurance companies, which defrayed costs of outpatient and hospital care, medication, medical aids, transport and necessary treatment abroad.
51. The Czech Republic had 12 perinatal centres with highly trained staff and the most modern diagnostic and medical equipment. It was estimated that the population of children aged 0 to 14 would decline by 23 per cent by 2020, and demand for paediatricians was expected to decrease accordingly.
52. As pointed out in the written replies, health care for children was funded from the public health insurance pool. The State paid public health-care premiums on behalf of children and adolescents until they completed vocational training, the maximum age-limit for entitlement being 26. In general, health care for children and adolescents was free of charge. There were no

figures on private health-care expenditure, but it was estimated to account for about 8 per cent of total expenditure. Private expenditure consisted mainly of direct payments for partially covered drugs and medical aids, cosmetic surgery and services provided for non-health reasons, such as medical examinations required for a driving licence.

53. Preventive care for children was a long-standing tradition in the Czech Republic. There were 11 compulsory medical check-ups in the first year of life, one at the age of 18 months, and one every two years from the age of 3, but they were not covered by public health insurance. All children born in maternity hospitals were examined at birth and received treatment if necessary. They were screened for congenital defects and vaccinated.

54. The CHAIRPERSON invited members of the Committee to put questions to the delegation concerning general principles, civil rights and freedoms, and family environment and alternative care.

55. Ms. TIGERSTEDT-TÄHTELÄ asked whether the names of the biological parents of adopted children were deleted from the population registers and replaced by those of the adoptive parents so that children could not learn who their parents were.

56. It was not clear from the written replies whether the best interests of the child were paramount; that principle should be made part of the Constitution, and legislation and policy should be formulated accordingly. Custody proceedings had often led to children being institutionalized, which was hardly in their best interests. She wondered how those interests were taken into consideration in the context of the new emphasis on de-institutionalization. The principle also meant that spending on the implementation of children's rights should be a priority.

57. The report acknowledged that social workers were not always qualified to defend children's rights and that they could not simultaneously perform preventive, curative and punitive functions, as they were very few in number (para. 80). She enquired what qualifications social workers had and whether more were being trained and hired.

58. She noted that the principle of non-discrimination was embodied in the Constitution and in the Employment Act, but not in other legislation, for example on health care, housing and education. She asked whether there had been any follow-up to the 1999 method instruction of the Ministry of Education, Youth and Sports on education against expressions of racism, xenophobia and intolerance and whether the situation had been improved.

59. She would like to know whether there had been any assessment of the implementation of the Government's policy on Roma, and, if so, what the findings had been. She also enquired whether there had been any increase in the number of preparatory classes to familiarize Roma with the school environment, whether more assistant teachers had been hired, whether there was cooperation with Roma parents and whether local communities worked with Roma NGOs to combat discrimination.

60. She noted that the Czech Republic had amended legislation to make it easier for stateless persons to obtain citizenship. According to her information, in 1997 there had been 1,400 stateless Roma children in institutions and 10,000 non-citizen Roma without permanent resident status.

61. Mr. JAŘAB (Czech Republic) said that those were Roma who had become Slovak citizens after the splitting up of Czechoslovakia. There had been difficulties in connection with their obtaining Czech citizenship, but they had not been stateless.

62. Ms. TIGERSTEDT-TÄHTELÄ noted that the initial country report (CRC/C/11/Add.11, para. 12) had referred to a Commission for the Family, and she wondered what had become of it. The written replies referred to a National Programme for the Support of Families with Children, to be prepared on the basis of broad expert and public discussion; she asked whether the programme had been started, what its aims were and whether it would make it unnecessary to place children in custody.

63. She gathered from the statistics provided that the number of children in institutions was on the rise, and she asked the delegation to comment. Three ministries were involved. Was it really necessary to have so many? She urged the Czech Republic to consider streamlining the administration of its children's institutions.

64. Ms. AL-THANI said that she was concerned about the situation of children in institutions. According to her information, the monitoring of those facilities left much to be desired: children who simply needed alternative care were sometimes placed with children who had committed crimes, the standard of care was inadequate, and some children who had difficulty adjusting had been transferred to mental institutions. She asked the delegation to comment and to provide details of the Government's de-institutionalization policy. The Government should consider making use of the extended family instead of foster care.

65. The CHAIRPERSON said that the delegation had indicated that there was a regular review of placement in institutions in order to see whether it was possible to return children to biological parents or foster care, but according to table 9 in the written replies, residents of diagnostic institutions and reformatories over 15 years old stayed in the institution until completing their compulsory school attendance. That did not suggest that they were returned to their biological parents or foster care where possible. He asked the delegation to explain.

66. Ms. KARP asked what was done to make sure that a child who was released from an institution would return to a good family environment. She asked the delegation to comment on reports that, as a disciplinary measure, children in institutions were sometimes not permitted to have visits from their parents.

67. Mr. CITARELLA said that he understood that judges generally issued orders for the child to stay with the mother during divorce proceedings, which in the Czech Republic were often protracted, and that the father apparently had no right to see his child. He asked the delegation to provide information.

68. He had the impression that stateless children and the children of immigrants did not enjoy the right to education in the Czech Republic. That discriminatory practice was a contributing factor in the violence directed against those children. He asked the delegation to comment.

69. Czech legislation apparently contained no provisions prohibiting corporal punishment of children in families, in schools or in placement institutions, and there were no bodies to investigate the practice. The delegation should provide further information on the use of corporal punishment.

70. Mr. AL-SHEDDI said he was surprised at the dearth of regulations governing children's institutions, and it seemed that some temporary measures had become permanent. The Committee was concerned that children were ill-treated in such institutions and would like to have more information on how they operated.

71. According to paragraph 51 of the report, it had been proposed that the Schools Act should include provisions on the rights of students and protection of children from all forms of discrimination. What was meant by "all forms of discrimination"? Was that a reference solely to discrimination at school?

72. He also noted the growing number of children injured in traffic accidents and asked whether any measures had been taken to address the problem.

73. Ms. KARP said that, according to her information, parents and children had no right to appeal disciplinary decisions taken in institutions. She asked whether parents and educators regarded corporal punishment as being a violation of the human dignity of the child. Had the Government considered explicitly prohibiting corporal punishment? How had it addressed the prevalence of corporal punishment at home and in school?

74. She enquired whether the regional and local authorities had a mandate for treating and rehabilitating children who had been the victims of crimes and whether the problem was dealt with in such a way as to ensure that the child was not repeatedly questioned by the police, social workers and court authorities.

75. She asked about the problems experienced in the transition from a totalitarian regime to a democratic system based on respect for human rights, in particular in terms of the participation of children and their right to make their views heard. She understood that while there was legislation providing for participation by children, in practice children did not have many opportunities to express their views in court or in an administrative context. She urged the Government to consider introducing the principles set forth in the Convention in a code for children.

76. The CHAIRPERSON said that the Committee had received a note verbale referring to plans for promoting non-discrimination. He asked what the state of those plans was, what had been done to implement them and what the current situation was with regard to non-discrimination and xenophobia.

The meeting rose at 1.05 p.m.