



Convention on the Rights of the Child

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Committee on the Rights of the Child

Seventy-seventh session

15 January-2 February 2018

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined third and fourth periodic reports of the Marshall Islands

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 13 October 2017. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please update the Committee on the measures taken to implement child-related legislation, in particular the Child Rights Protection Act 2015, policies and programmes and to harmonize domestic law, including customary law, with the Convention. Please also inform the Committee whether the State party intends to develop and adopt a comprehensive strategy and national action plan for children's rights.
2. Please provide information on the human, technical and financial resources available for the functioning of the national Human Rights Committee. Please also provide information on mobilizing the resources required for the establishment and functioning of an independent monitoring body for children's rights that can receive complaints. Please also inform the Committee of the resources available for the position of a children's project coordinator appointed to coordinate all activities related to the Convention.
3. Please inform the Committee about the measures taken to ensure the practical application of the constitutional and legal provisions guaranteeing the principle of non-discrimination, in full compliance with article 2 of the Convention, in particular for girls, children living in disadvantaged urban communities, in rural areas and on the outer islands and children with disabilities.
4. Please clarify how the State party ensures that the best interests of the child are taken into account as a primary consideration in legislation, as well as in all judicial and administrative decisions, policies and procedures.
5. Please provide information on the steps taken to ensure that the corporal punishment of children is prohibited by law in all settings. Please also update the Committee on the measures taken to implement the Domestic Violence Prevention and Protection Act 2011. Please also clarify what measures have been taken to prevent violence, abuse, including sexual abuse, and neglect of children, to investigate reports of such violations and to prosecute and punish perpetrators.



6. Please update the Committee on the measures taken to develop an alternative care policy and minimum standards of care and to establish a network of services and a functioning social welfare workforce. Please also provide an update on the measures taken to reduce informal adoption between families and to regulate and monitor domestic and intercountry adoption.
7. Please indicate what specific steps have been taken to eliminate discrimination against and the social stigma attached to children with disabilities and to facilitate their full inclusion in society. Please provide information on the measures taken to ensure effective access by children with disabilities, throughout the country, to quality health-care services, including early detection and diagnosis, inclusive education, social services and public transport.
8. Please inform the Committee of the steps taken to address child mortality, child stunting and malnutrition, low immunization coverage and poor access to drinking water and sanitation, particularly on the outer islands, and to ensure exclusive breastfeeding up to six months of age. Please provide information on the main achievements of the various policies and strategies in the field of adolescent health. Please also indicate whether any steps have been taken to replace these policies and provide sufficient resources for their implementation.
9. Please provide information on the measures taken to increase enrolment rates in pre-primary, primary and secondary education, to reduce dropout rates, to improve the quality of education and the school infrastructure, to increase human, technical and financial resources and to facilitate children's access to vocational training, particularly in rural areas and on the outer islands.
10. Please provide information on the steps taken to ensure the effective implementation of the Criminal Code and the Child Rights Protection Act 2015 to prevent and combat trafficking in children, forced child labour and the sexual exploitation of children, including child prostitution, child sex tourism and child pornography. Please also inform the Committee about measures taken to strengthen efforts to identify, protect and support child victims of exploitation in the tourism and fisheries sectors.
11. Please provide information on how child protection issues have been taken into consideration and are being addressed under the Joint National Action Plan for Climate Change Adaptation and Disaster Risk Management 2014-2018 and the National Climate Change Policy Framework.
12. Please provide information on any measures taken to develop comprehensive juvenile justice legislation, to provide special training for judges and all relevant actors on juvenile justice matters, to raise the age of criminal responsibility for serious offences, to ensure that children between 16 and 18 years of age are not treated as adults in judicial proceedings and to make sure that children are not detained together with adults.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report (CRC/C/MHL/3-4) with regard to:
 - (a) New bills or laws and their respective regulations, including the Child Rights Protection Act 2015, the Rights of Persons with Disabilities Act 2015, the Marshall Islands Public School System Act 2013, the Domestic Violence Prevention and Protection Act 2011 and the Criminal Code (adopted in 2011 and amended in 2013);
 - (b) New institutions (and their mandates) or institutional reforms, in particular the Human Rights Committee, established in 2015, and its capacity to receive and investigate complaints of children's rights violations;
 - (c) Recently introduced policies, programmes and action plans and their scope and financing, in particular the National Strategic Plan 2015-2017 and the Joint National Action Plan for Climate Change Adaptation and Disaster Risk Management 2014-2018;

- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors, including education, health, social services and child protection, by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources. Please inform the Committee of any plans to reduce dependence on external financing and to enhance domestic resource mobilization capacity.

15. Please provide, if available, updated statistical data disaggregated by age, sex, disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of:

(a) Child victims of neglect, ill-treatment, violence and abuse, and the number of complaints, investigations, prosecutions and convictions in that regard;

(b) Investigations into cases of sexual violence and rape and the outcomes of trials, including with regard to the penalties imposed on perpetrators and to the redress and compensation provided to victims;

(c) Child victims of trafficking and sexual or labour exploitation, and of reported cases, investigations, prosecutions and convictions in that regard;

(d) Children in detention facilities and penitentiary institutions;

(e) Child marriages;

(f) Cases of corporal punishment, especially in schools and penal institutions, and of investigations, prosecutions and convictions in that regard;

(g) Children living in poverty and extreme poverty;

(h) Children living with HIV/AIDS;

(i) Births registered and birth certificates issued.

16. Please provide data disaggregated by age, sex, disability, socioeconomic status, ethnic origin, national origin and geographic location regarding the situation of children deprived of a family environment. Please indicate, for the past three years, the number of children:

(a) Separated from their parents;

(b) Placed in institutions;

(c) Placed with foster families;

(d) Adopted domestically or through intercountry adoptions.

17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

18. Please provide data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) The enrolment and completion rates, in percentages, of pupils in the relevant age groups in pre-primary schools, primary schools and secondary schools;

(b) The number and percentage of pupils who drop out of school or repeat a school year;

(c) The teacher-pupil ratio.

19. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

20. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
