



Convention on the Rights of the Child

Distr.: General
19 March 2020

Original: English
English, French and Spanish only

Committee on the Rights of the Child

Eighty-sixth session

7–25 September 2020

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the initial report of Somalia

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2020. 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 provide more information on the steps taken to: (a) incorporate the provisions of the Convention into national law, including the progress made in developing a comprehensive child rights law; (b) develop a comprehensive child rights policy and a strategy to implement the Convention; and (c) strengthen the coordination of the implementation of the Convention, including among federal and regional governments.
2. Please provide information on the measures taken to harmonize the definition of the child in all relevant laws and policies across the State party, in line with the definition under the Convention. Please provide information on any legislative and policy measures taken to eliminate all forms of discrimination against children, especially children born to unmarried parents, children with disabilities, children belonging to minority groups and girls, in particular survivors of gender-based violence and harmful practices.
3. Please explain how authorities at all levels and in all regions of the State party take into account the best interests of the child as a primary consideration in all matters concerning them, including when developing and implementing relevant legislation and policies. Please describe the measures taken and the mechanisms in place to ensure the meaningful participation of children in the family, in school, in the community and in judicial and administrative proceedings.
4. Please explain the measures taken to: (a) prevent the death and injury of children as a result of direct or indiscriminate attacks, as well as attacks on civilian infrastructure, by the Somali security forces and non-State armed groups; (b) investigate any such acts, prosecute and sanction those responsible and provide redress to the victims and their families; and (c) ensure humanitarian access to children and investigate incidents of denial of such access.
5. Please provide information on measures taken to increase the reportedly low birth registration rates among children in the country, including in rural areas. Please also describe any legislative measures taken to ensure non-discriminatory access to nationality



for all children, including children born to Somali mothers and foreign fathers, in particular for children born abroad.

6. Please provide information on measures taken by the State party to review its legislation, including article 442 of the Criminal Code, to explicitly prohibit corporal punishment in all settings. Please inform the Committee of the measures taken to eliminate harmful practices throughout the country, including child marriage, polygamy and female genital mutilation, as well as the abuse of children with disabilities, and any community-based interventions undertaken in those areas. Please provide an update to the Committee on the status of the draft bill on combating female genital mutilation referred to in paragraph 34 of the report of the State party.

7. In view of the high incidence of rape and other forms of sexual violence against children, please explain any measures taken to: (a) address the root causes of sexual violence; (b) remove the barriers to the reporting, prosecution and punishment of the perpetrators of such acts, including those perpetrated by Somali and international security forces and non-State armed groups; and (c) provide children who are victims of such acts with support and rehabilitation. Please provide updated information on the status of the draft bill on sexual offences.

8. Please provide information on measures taken to: (a) support families living in poverty, including those that are displaced, to ensure that family members are able to take care of children, and to prevent involuntary separations; (b) develop a formal social welfare structure and a policy on children without parental care; and (c) facilitate the inclusion of children with disabilities into society and ensure access for those children to health-care services, inclusive education and rehabilitation.

9. In view of the high child and maternal mortality rates, due to preventable diseases, please inform the Committee about efforts to: (a) improve and expand health-care infrastructure across the country; (b) allocate human and financial resources, equipment and medicines to the health sector; (c) increase immunization rates; (d) address malnutrition and improve access to safe drinking water and sanitation; and (e) improve access to maternal health-care services. Please indicate efforts to put into place mental health-care services and counselling for children.

10. Please indicate measures taken to address child poverty, including in rural areas and camps for internally displaced persons and refugees. Please indicate measures taken to: (a) facilitate access to education for girls, children with disabilities, internally displaced and refugee children and children living in rural areas; (b) improve the quality of education, including the learning materials; (c) prevent the non-completion of schooling, especially in rural areas; and (d) ensure the safety of children in schools and end the use of schools for military purposes.

11. Please explain the measures taken to facilitate the reintegration of returnee and internally displaced children and to ensure their protection and access for such children to shelter, food, water and sanitation and medical and psychological care, especially in camps for refugees and internally displaced persons. Please provide details on progress made in eliminating child labour, especially the worst forms of child labour, including street work and the recruitment and use of children in armed conflict. Please indicate efforts made in those areas, including the result of any labour inspections or prosecutions for the economic exploitation of children.

12. Please indicate measures taken to: (a) establish a mechanism and procedures for the identification and referral of children who are victims of trafficking; (b) protect children in street situations from violence, drug abuse, recruitment into armed groups and economic exploitation; (c) determine a child's age, in the absence of a birth certificate, in the context of judicial proceedings; (d) ensure compliance of the draft juvenile justice bill with the Convention; (e) protect children from recruitment into the Somali security forces or non-State armed groups, including in the absence of a birth certificate; and (f) rehabilitate and reintegrate children involved in armed conflict.

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 with regard to:

- (a) New bills or laws and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (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 by indicating the percentage allocated to each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

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

- (a) Children who are victims of harmful practices, including child marriage, female genital mutilation and polygamy;
- (b) Cases of violence against children, child neglect and abuse, the number of investigations and prosecutions carried out and the sentences issued;
- (c) Investigations into cases of sexual abuse, violence and rape perpetrated against children and the outcomes of the trials, including information on the penalties imposed on the perpetrators and on any redress and compensation offered to children who were victims of such abuse;
- (d) Cases of child abuse and neglect in families and in other types of care including in public and private institutions;
- (e) Infant and child mortality;
- (f) Children classified as malnourished, children infected with polio and children requiring and receiving mental health care;
- (g) Girls who have had abortions, in particular unsafe abortions;
- (h) Children who use illicit drugs or substances;
- (i) Children living in multidimensional poverty;
- (j) Children without access to safe water and sanitation;
- (k) Children working in the formal and informal economy;
- (l) Children trafficked for purposes of labour and sexual exploitation;
- (m) Refugee and internally displaced children, including unaccompanied or separated children, children who have left camps for internally displaced persons and refugees and children who have been returned and repatriated;
- (n) Children in street situations;
- (o) Children involved in combat and support positions recruited by both State and non-State groups.

16. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment, for the past three years, including on the number of children who have been:

- (a) Separated from their parents;
- (b) Orphaned;
- (c) Living with extended families;
- (d) Placed in institutions and orphanages.

17. Please provide data, disaggregated by age, sex, disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities who have been:

- (a) Living with their families;
- (b) Living in institutions and orphanages;
- (c) Living in camps for refugees and internally displaced persons;
- (d) Attending regular primary schools;
- (e) Attending regular secondary schools;
- (f) Attending special schools;
- (g) Out of school;
- (h) Abandoned by their families.

18. Please provide, if available, updated statistical data, disaggregated by age, sex, type of offence, ethnic and national origin, geographical location and socioeconomic status, for the past three years, on children accused of having committed a criminal offence who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;
- (d) Serving a sentence in detention and the length of the sentence;
- (e) Subjected to torture and ill-treatment in juvenile detention centres and prisons.

19. Please provide information on how a child rights-based approach has been integrated into the planning, implementation and monitoring of measures for the achievement of the Sustainable Development Goals, including with regard to child participation and data collection, and how they promote the realization of children's rights under the Convention and the Optional Protocols thereto.

20. 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.

21. 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.
