



Convention on the Rights of the Child

Distr.: General
17 October 2023

Original: English

Committee on the Rights of the Child

Concluding observations on the combined third to fifth periodic reports of Andorra*

I. Introduction

1. The Committee considered the combined third to fifth periodic reports of Andorra¹ at its 2735th and 2736th meetings,² held on 8 September 2023, and adopted the present concluding observations at its 2756th meeting, held on 22 September 2023.

2. The Committee welcomes the submission of the combined third to fifth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the delegation of the State party.

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

3. The Committee welcomes the legislative, institutional and policy measures taken by the State party to implement the Convention, including the adoption of:

- (a) The Qualified Act on the Rights of Children and Adolescents in 2019;
- (b) The regulations for the functioning of the National Commission for Children and Adolescents in 2019;
- (c) The legislative decree of 30 May 2018 amending Act No. 6/2014 on Social and Socio-Health Services to ensure equal access of children without a regular residence status to social services;
- (d) The Act on Equal Treatment and Non-Discrimination in 2019;
- (e) The Act on Measures to Combat Trafficking in Persons in 2017;
- (f) The Act on the Eradication of Gender-based Violence and Domestic Violence in 2015;
- (g) The first National Plan for Children and Adolescents (2022–2026);
- (h) The strategic plan for the implementation of the Sustainable Development Goals in 2019.

* Adopted by the Committee at its ninety-fourth session (4–22 September 2023).

¹ CRC/C/AND/3-5.

² See CRC/C/SR.2735 and CRC/C/SR.2736.

³ CRC/C/AND/RQ/3-5.



4. The Committee also welcomes the ratification of the following instruments:
 - (a) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure in 2014;
 - (b) The Convention on the Rights of Persons with Disabilities in 2014;
 - (c) The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in 2014;
 - (d) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime in 2022.

III. Main areas of concern and recommendations

5. 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); abuse, neglect and sexual exploitation (para. 23); mental health (para. 31); adolescent health (para. 33); education, including vocational training and guidance (para. 37); and asylum-seeking, refugee and migrant children (para. 40).

6. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, 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, throughout the process of implementing the 2030 Agenda for Sustainable Development. It 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

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

- (a) **Ensure the effective implementation of the Qualified Act on the Rights of Children and Adolescents, including by allocating sufficient resources for its implementation and conducting capacity-building for relevant professionals working with and for children;**
- (b) **Develop a child-rights impact assessment procedure for all legislation and policies relevant to children.**

Comprehensive policy and strategy

8. **The Committee welcomes the first National Plan for Children and Adolescents (2022–2026), which was developed in consultation with children, and recommends that the State party allocate sufficient resources and establish a mechanism for its implementation, monitoring and evaluation with clear indicators and benchmarks.**

Coordination

9. **The Committee notes that the Department of Social Affairs, through its Support Unit for Children and Adolescents, coordinates the implementation of policies, protocols and measures on children's rights, and recommends that the State party further strengthen its capacity, including through sufficient resources, to reinforce the monitoring and coordination of all activities related to the implementation of the Convention across all sectors.**

Allocation of resources

10. The Committee notes that article 10 of the Qualified Act on the Rights of Children and Adolescents requires public authorities to prioritize budgetary allocations for activities aimed at protecting children's rights. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

- (a) Implement a tracking system for the allocation, use and monitoring of resources for children in all areas of their rights;
- (b) Continue to increase and prioritize budgetary allocations to ensure the implementation of the rights of the child at all levels, including allocations for child protection and mental health services;
- (c) Ensure transparent and participatory budgeting processes in which civil society and children can participate.

Data collection

11. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

- (a) Ensure that the Andorran Observatory for Children's Affairs has sufficient human, technical and financial resources to collect data encompassing all areas of the Convention and its Optional Protocols, including data on nutrition, breastfeeding, mental health, abortion, substance abuse, school absenteeism and dropout rates, disaggregated by age, sex, disability, geographical location, ethnic origin, nationality and socioeconomic background;
- (b) Ensure that statistical data are shared among relevant ministries, professional groups and civil society, and used for the evaluation of policies and programmes on children's rights.

Independent monitoring

12. The Committee notes that the mandate of the Ombudsperson has been broadened to promote children's rights and to receive complaints of racial discrimination in both the public and private sectors, and recommends that the State party:

- (a) Strengthen the mandate and capacity of the Office of the Ombudsperson, with a view to establishing it as an independent institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);
- (b) Ensure that the Ombudsperson has sufficient human, technical and financial resources to monitor children's rights and address complaints by children in a child-sensitive and child-friendly manner.

Dissemination, awareness-raising and training

13. Noting with appreciation the incorporation of children's rights in primary and secondary school curricula and the implementation of the Child-friendly Parishes project, the Committee recommends that the State party:

- (a) Continue its awareness-raising activities on children's rights among the public, with the active involvement of children;
- (b) Ensure systematic training on children's rights, the Convention and its Optional Protocols for all professionals working with and for children.

International cooperation

14. Recalling target 17.2 of the Sustainable Development Goals, the Committee encourages the State party to meet the internationally agreed target of 0.7 per cent of

its gross national income allocated for official development assistance and adopt a child rights-based approach in respect of its international cooperation agreements.

Children's rights and the business sector

15. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, the Committee recommends that the State party:

(a) Examine and adapt its legislative framework to ensure the legal accountability of the business sector, including the tourism, extractive and informal sectors, in relation to international and national human rights, health, environmental and other standards;

(b) Ensure that children who are victims of abuses by businesses have access to effective remedies, including by putting in place appropriate and effective remedial judicial and non-judicial mechanisms for violations of children's rights that are widely known and readily available to all children and their representatives;

(c) Require companies to carry out assessments of, consultations on and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts.

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

Non-discrimination

16. The Committee notes with appreciation the protection of children from discrimination under relevant legislation and the awareness-raising campaigns on disability, but is concerned about persistent discrimination against girls, children with disabilities and lesbian, gay, bisexual, transgender and intersex children.

17. Recalling targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen awareness-raising campaigns to combat stigmatization and discrimination against girls, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, and to address discriminatory gender stereotypes;

(b) Monitor strategies and measures to combat discrimination against girls, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;

(c) Ensure that the Observatory for Equality has sufficient human, technical and financial resources to collect and analyse data on discrimination against children.

Best interests of the child

18. The Committee notes with appreciation the requirement for ensuring the best interests of the child in the Qualified Act on the Rights of Children and Adolescents. Recalling its previous recommendations,⁴ the Committee recommends that the State party:

(a) Strengthen efforts to ensure that the right of children to have their best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied in all programmes and legislative, administrative and judicial proceedings involving children;

(b) Provide guidance or tools to all relevant persons in authority for assessing and determining the best interests of the child in every area as a primary consideration.

⁴ CRC/C/AND/CO/2, para. 27.

Respect for the views of the child

19. The Committee commends the State party for its efforts in promoting a culture of child participation, including through the implementation of the Child-friendly Parishes project in all parishes and the inclusion of several actions on child participation in the National Plan for Children and Adolescents. The Committee recommends that the State party:

- (a) Ensure that the outcomes of the youth parliament and children's councils are systematically fed into public decision-making;
- (b) Continue to ensure the right of all children to express their views and to have them taken into account in all decisions affecting them, including in courts and in relevant administrative and judicial proceedings.

C. Civil rights and freedoms (arts. 7, 8 and 13–17)

Right to privacy and access to appropriate information

20. The Committee notes with appreciation the adoption of Qualified Act No. 29/2021 on Protection of Personal Data but is concerned about the large number of children who gain access to child sexual abuse material and gambling sites online. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:

- (a) Ensure that sufficient resources are allocated to the implementation of the Qualified Act on Protection of Personal Data, including with regard to ensuring digital inclusion and protecting the privacy of children in the digital environment;
- (b) Ensure that laws and policies on access to information and the digital environment protect children from harmful content and materials and online risks;
- (c) Develop regulations and safeguarding policies to protect the privacy and safety of children in the digital environment;
- (d) Continue to enhance the digital literacy, awareness and skills of children, teachers and families.

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

Corporal punishment

21. The Committee welcomes the prohibition of corporal punishment in all settings, including in the home, and recommends that the State party strengthen its efforts to promote positive, non-violent and participatory forms of child-rearing and raise awareness among parents and professionals working with and for children on the adverse consequences of corporal punishment.

Abuse, neglect and sexual exploitation

22. The Committee notes with appreciation the legislative and policy measures taken to strengthen the protection of children from violence, including amendments to the Criminal Code, the adoption of protocols for addressing violence against children, capacity-building for relevant professionals and the establishment of a helpline. However, the Committee is concerned about the limited information on the prevalence of violence against children and the insufficient resources allocated to the Support Unit for Children and Adolescents to respond to cases of abuse, neglect and violence.

23. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Conduct a study to assess the prevalence and causes of corporal punishment, domestic violence, online violence and other forms of violence against children;
- (b) Ensure a unified approach to support services for child victims of violence, including by strengthening the case management system, formalizing inter-institutional coordination among the health, law enforcement and other sectors working with children and increasing the resources allocated to child protection services and the Support Unit for Children and Adolescents;
- (c) Continue efforts to establish the *barnahus* model with the aim to ensure that all children who are victims or witnesses of violence have prompt access to child-sensitive, multisectoral and comprehensive interventions, services and support, including forensic interviews and psychological therapy, with the aim of preventing the secondary victimization of those children;
- (d) Increase the number of social workers and strengthen the capacity of social workers, the police, teachers, health workers, the judiciary and other relevant groups of professionals on child-sensitive procedures for identifying and responding to cases of violence against children, including on the application of the protocols for action in cases of children at risk, and of abuse, sexual aggression and physical abuse against children and adolescents;
- (e) Ensure that child victims and survivors of violence have prompt access to remedies, including by abolishing the statute of limitations for all types of crimes of sexual exploitation and abuse;
- (f) Adopt the framework protocol for the protection of children and adolescents from violence in sports and ensure accessible and child-friendly channels for reporting and remedying violence or abuse against children in sports;
- (g) Promote awareness of how children can access the helpline and ensure capacity-building of helpline personnel on handling complaints and providing confidential, child-friendly assistance.

Harmful practices

24. The Committee welcomes the prohibition of marriage under 18 years of age, without exception, under the Qualified Act on the Rights of Children and Adolescents, and recommends that the State party ensure the implementation and monitoring of the prohibition against child marriage and carry out awareness-raising campaigns among children, parents and teachers on the harmful effects of child marriage.

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

Family environment

25. The Committee notes with appreciation the measures taken by the State party to ensure childcare options for working parents, but is concerned that the hours of public childcare options are not adapted to the working hours of parents in the tourism industry. The Committee recommends that the State party:

- (a) Strengthen its efforts to promote the equal sharing of parental responsibilities, including by expanding the use of paternity leave and flexible working arrangements for both parents;
- (b) Ensure the availability of affordable childcare options for working parents, including by aligning public childcare options with working hours and allocating sufficient resources for the implementation of the Act on Social and Socio-Health Services.

Children deprived of a family environment

26. The Committee notes that children who cannot stay with their families are placed in the care of extended family or foster care, and that children are placed in residential care only as a measure of last resort. Recalling the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

- (a) Allocate sufficient resources for foster care and adoption, with a view to supporting and prioritizing family-based and community-based care options for all children who cannot stay with their families;
- (b) Provide all necessary social welfare services and support to extended families and foster parents;
- (c) Ensure the best interests of the child in adoption proceedings, and that the adoption department of the Support Unit for Children and Adolescents has sufficient resources to implement the Post-Adoption Care Programme and provide pre-adoption and post-adoption services and monitoring.

Children of incarcerated parents

27. Noting that the prison in the State party is not equipped with facilities to allow for children to stay with their incarcerated mothers, the Committee recommends that the State party strengthen the capacity of the judiciary to carry out an assessment of the best interests of the child when sentencing their caregivers, also including the systematic consideration of alternatives to incarceration.

F. Children with disabilities (art. 23)

28. The Committee commends the State party for the measures taken to ensure the access of children with disabilities to early intervention services, inclusive education and leisure activities, and recommends that the State party:

- (a) Allocate sufficient resources for the implementation of the Act on Social and Socio-Health Services and other legislative or policy frameworks aimed at supporting children with disabilities and their families;
- (b) Strengthen support for parents of children with disabilities, such as through supplementary income and social services;
- (c) Strengthen support for the social integration and individual development of children with disabilities, including by providing capacity-building to child protection professionals on the rights and specific needs of children with disabilities and ensuring their access to personal assistance, rehabilitation and assistive devices.

G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

29. The Committee notes with appreciation that children without a regular residence status can access free health services if approved by the Ministry of Social Affairs, but is concerned that this approval is valid for only six months at a time. Recalling targets 3.3 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Raise awareness among children without a regular residence status and their families of the procedure for applying for access to free health services, and consider approving requests for a period longer than six months in cases in which long-term treatment could be required;
- (b) Strengthen measures to reduce obesity and overweight among children and to promote a healthy lifestyle, including through public awareness-raising on nutrition issues;

(c) **Collect data on breastfeeding rates; strengthen measures to promote breastfeeding, including through awareness-raising among parents, and implement the International Code of Marketing of Breastmilk Substitutes.**

Mental health

30. The Committee notes with appreciation the measures taken to address mental health issues among children, including the adoption of the Comprehensive Plan on Mental Health and Addiction (2022–2030), but is concerned about the lack of community-based mental health services for children, the placement of children with mental health issues in the Residential Centre for Intensive Education or therapeutic centres outside of the State party, and the stigma associated with mental health services.

31. **Recalling target 3.4 of the Sustainable Development Goals, the Committee urges the State party:**

- (a) **To carry out a comprehensive study on mental health among children to inform the implementation of the Comprehensive Plan on Mental Health and Addiction;**
- (b) **To provide comprehensive mental health promotion, screening for mental health issues and early intervention services in schools;**
- (c) **To conduct awareness-raising activities for children, parents and educators on mental health issues and how children can seek support;**
- (d) **To develop community-based, therapeutic mental health services and counselling in schools and homes in cooperation with civil society and taking into account the views of children, with a view to phasing out the practice of sending children with mental health issues and addictions to residential care centres;**
- (e) **To ensure that the number of qualified professionals, including child psychologists and psychiatrists, is sufficient to meet children's mental health needs;**
- (f) **To ensure regular follow-up of children in treatment, including after they leave therapeutic centres, and take measures to provide such services without stigmatization;**
- (g) **To address the underlying causes of poor mental health, eating disorders and other self-harming behaviours among children and invest in preventive measures;**
- (h) **To take measures to provide mental health services without stigmatization and ensure that children's perspectives are included in the development of response services.**

Adolescent health

32. The Committee notes with appreciation the measures taken to provide adolescents with information and education on sexual and reproductive health, but is concerned about:

- (a) The lack of measures taken to decriminalize abortion, and the position of the State party that amending the Criminal Code provisions on abortion would result in a breakdown in State institutions;⁵
- (b) The fact that adolescents need to travel outside the State party to gain access to abortions and treatment for substance addiction, and that those who do not have the means to travel are left in a particularly vulnerable situation;
- (c) Insufficient sexual and reproductive health services for adolescents.

33. **Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and targets 3.7 and 5.6 of the Sustainable Development Goals, the Committee urges the State party:**

⁵ [CRC/C/AND/3-5](#), para. 196.

- (a) To strengthen measures to provide adolescents with access to sexual and reproductive health services and information on family planning and modern contraception;
- (b) To decriminalize abortion and ensure the access of adolescent girls to safe abortion and post-abortion care services within the State party, ensuring that their views are always heard and given due consideration as part of the decision-making process, and with a view to ensuring that no adolescent girl has to travel outside of the State party to gain access to reproductive health care;
- (c) Integrate comprehensive and age-appropriate education on sexual and reproductive health into mandatory school curricula at all levels of education and in teacher training, and ensure that it includes education on gender equality, sexual diversity, sexual and reproductive health rights and violence prevention;
- (d) Strengthen measures to prevent and address the incidence of drug, alcohol and tobacco use by children and adolescents, including by providing them with accurate information on the harmful effects of drug and substance abuse, as well as education on preventing such abuse;
- (e) Develop accessible and child-friendly drug dependence and harm reduction services within the State party, as well as standards and protocols for the rehabilitation of adolescent drug users.

Standard of living

34. The Committee notes with appreciation the measures taken to provide housing and social assistance to children in socioeconomically disadvantaged situations and recommends that the State party:

- (a) Strengthen measures to ensure children's access to affordable, quality housing, including by ensuring that sufficient resources are allocated to the housing project for families in situations of vulnerability;
- (b) Ensure that measures to combat poverty comply with a child rights-based approach and include a particular focus on children from disadvantaged families, especially children of single parents;
- (c) Regularly publish information and data on the social benefits available for children and families in need.

H. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

35. Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, and target 13.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Ensure that children's needs and views are taken into account in the implementation of the Act on the Promotion of the Energy Transition and Climate Change and the Long-term Strategy on Energy and Climate Change 2020–2050;
- (b) Promote children's awareness of and preparedness for climate change and environmental degradation by incorporating environmental education into the school curriculum.

I. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

36. The Committee welcomes the measures taken to ensure the access of all children to education and address truancy and bullying in schools, but is concerned about the lack of

data on school dropout rates and absenteeism, and the prevalence of bullying, including cyberbullying, and violence in schools.

37. **Recalling targets 4.1, 4.2, 4.5 and 4.a of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Work with families to raise awareness of children's dropout rates due to family holidays so that children do not miss part of the school year, and investigate the causes of absenteeism considered serious or chronic in order to develop measures to address them;**

(b) **Strengthen measures to combat violence in schools, including bullying and online violence, and ensure that such measures encompass prevention, early detection mechanisms, the empowerment of children and professionals, intervention protocols, awareness-raising on its harmful effects, and training for teachers on preventing and responding to violence in schools;**

(c) **Continue to ensure that all children with disabilities have access to and benefit from inclusive education, including through adapted curricula and training, specialized teachers and professionals and individual support and attention.**

Rest, play, leisure, recreation and cultural and artistic activities

38. **The Committee notes with appreciation the measures taken to promote all children's access to sports and cultural activities, including through its regulation on reserving at least 10 per cent of available places for children with disabilities, and recommends that the State party:**

(a) **Strengthen measures to ensure that all children, including children with disabilities, have access to accessible and safe public outdoor play spaces;**

(b) **Involve children in decisions regarding the development of spaces for children to play.**

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

Asylum-seeking, refugee and migrant children

39. **The Committee notes with appreciation the measures taken by the State party to host Syrian and Ukrainian refugee children and ensure their access to education and health services, including through the Act on Temporary and Provisional Protection on Humanitarian Grounds of 2018. However, the Committee is concerned about:**

(a) **The lack of progress in enacting domestic legislation on asylum-seekers and refugees;**

(b) **Recent legislative measures further restricting family reunification for the children of seasonal workers and children in situations of migration, particularly for children in socioeconomically disadvantaged situations, including with regard to fees and minimum periods of residence required by law.**

40. **Recalling its previous recommendations⁶ and joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration, the Committee recommends that the State party:**

(a) **Enact national legislation on asylum that is in line with international standards, ensure child-sensitive asylum procedures in line with the principle of the best interests of the child and provide safeguards against refoulement;**

⁶ CRC/C/AND/CO/2, paras. 44 and 46.

(b) Review its system of family reunification involving children of seasonal workers and children in situations of migration, with a view to waiving application fees for all children in need and ensuring that the best interests of the child are a primary consideration in all related decisions;

(c) Consider ratifying the Convention relating to the Status of Refugees and the Protocol thereto, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Economic exploitation, including child labour

41. The Committee notes with appreciation the adoption of Act No. 31/2018 on Labour Relations, establishing the minimum working age at 15 years, working conditions and work prohibited for children. Recalling target 8.7 of the Sustainable Development Goals and its previous recommendations,⁷ the Committee recommends that the State party:

(a) Raise awareness among parents and employers of the regulations regarding the participation of children in paid work;

(b) Provide continuous capacity-building for law enforcement officials, labour inspectors and other relevant professionals to ensure that international child labour standards with respect to age, working hours, working conditions, education and health are upheld and that violations are reported.

Administration of child justice

42. The Committee strongly commends the State party for the fact that no child has served a prison sentence since 2017. However, it is concerned that the age of criminal responsibility is just 12 years of age and that the maximum duration of pretrial detention of children is 90 days. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party:

(a) Raise the minimum age of criminal responsibility to at least 14 years of age;

(b) Continue to promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;

(c) Reduce the maximum duration of pretrial detention; avoid its use by ensuring that children arrested and deprived of their liberty are promptly brought before a competent authority to examine the legality of the deprivation of liberty or its continuation; and ensure that it is regularly and judicially reviewed.

K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

Optional Protocol on the sale of children, child prostitution and child pornography

43. The Committee notes with appreciation the amendments to the Criminal Code in 2014 to prohibit trafficking in persons for the purpose of organ removal, slavery or sexual exploitation. Recalling its 2019 guidelines regarding the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography⁸ and its previous recommendations,⁹ the Committee recommends that the State party:

⁷ Ibid., para. 49.

⁸ CRC/C/156.

⁹ CRC/C/OPSC/AND/CO/1.

- (a) Strengthen measures to prevent and address the online sale of children for the purpose of sexual exploitation and abuse, including through the training of relevant professionals and by ensuring that Internet service providers are required by law to promptly block and remove online sexual abuse material;
- (b) Continue to ensure that children who are victims of offences covered by the Optional Protocol receive child-friendly and specialized support services and remedies, including compensation;
- (c) Incorporate the planned workshop on the Optional Protocol into school curricula and raise awareness among the general public, in particular children and families, on preventive measures and the harmful effects of all offences under the Optional Protocol, including online sexual exploitation and child sexual abuse material.

Optional Protocol on the involvement of children in armed conflict

44. While noting that the State party does not have its own armed forces, the Committee recalls its previous recommendations¹⁰ and recommends that the State party:

- (a) Explicitly criminalize the recruitment, and the use in hostilities, of children under 18 years of age in the armed forces and by non-State armed groups;
- (b) Establish a mechanism for the early identification of children who may have been recruited or used in armed conflict abroad and ensure that they receive support for their physical and psychological recovery and reintegration into society.

L. Ratification of international human rights instruments

45. 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) The International Convention for the Protection of All Persons from Enforced Disappearance;
- (b) The International Covenant on Economic, Social and Cultural Rights;
- (c) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

IV. Implementation and reporting

A. Follow-up and dissemination

46. 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 and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined third to fifth periodic reports, the written replies to the list of questions and the present concluding observations be made widely available in the languages of the country.

B. Next report

47. The Committee will establish and communicate the due date of the combined sixth and seventh periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and

¹⁰ CRC/C/OPAC/AND/CO/1.

following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines¹¹ and should not exceed 21,200 words.¹² In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

¹¹ CRC/C/58/Rev.3.

¹² General Assembly resolution 68/268, para. 16.