



Convention on the Rights of the Child

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Committee on the Rights of the Child

Follow-up progress report on individual communications*

I. Introduction

1. The present report is a compilation of information received from States Parties and complainants on measures taken to implement the Views and recommendations on individual communications submitted under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The information has been processed in the framework of the follow-up procedure established under article 11 of the Optional Protocol and rule 28 of the rules of procedure under the Optional Protocol. The assessment criteria were as follows:

Assessment criteria

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| A | Compliance: Measures taken are satisfactory or largely satisfactory |
| B | Partial compliance: Measures taken are partially satisfactory, but additional information or action is required |
| C | Non-compliance: Reply received but measures taken are not satisfactory or do not implement the Views or are irrelevant to the Views |
| D | No reply: No cooperation or no reply received |
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II. Communications

A. *S.B. et al. v. France* (CRC/C/89/D/77/2019-CRC/C/89/D/79/2019-CRC/C/89/D/109/2019)

Date of adoption of Views:	8 February 2022
Subject matter:	Repatriation of children whose parents are linked to terrorist activities
Articles violated:	3, 6 (1) and 37 (a)

1. Remedy

2. The State Party is under an obligation to take urgent positive measures to repatriate the child victims and to support their reintegration and resettlement, ensuring that the best interests of the children are a primary consideration.

* Adopted by the Committee at its 100th session (12–30 January 2026).



3. The State Party is under an obligation to provide the authors and the child victims with effective reparation for violations suffered.

4. The State Party is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. The State Party is requested to publish the Committee's Views and to disseminate them widely.

2. State Party's response

5. In its submission dated 9 May 2023, the State Party declared that 30 of the 51 children covered by the three communications have been repatriated.

6. The State Party noted that the European Court of Human Rights, in its decision of 14 September 2022 in *H.F. and Others v. France* stated that France was not under an obligation to repatriate French nationals detained in camps in the north-east of the Syrian Arab Republic.

3. Authors' comments

Communication No. 77/2019

7. In their comments dated of 30 October 2023, the authors of communication No. 77/2019 acknowledge that the European Court of Human Rights, in its decision of 14 September 2022 in *H.F. and Others v. France*, decided that the State Party was not under the general obligation to repatriate its nationals and their children. However, the authors explain that the Court declared that there must be a control mechanism on whether the motives of the decision rested on a sufficient and reasonable factual basis. Moreover, the control mechanism must be able to verify whether the authorities took into consideration the best interests of the children concerned, as well as their particular vulnerabilities and their specific needs. The control mechanism must be carried out by an independent organ, detached from the executive authorities of the State Party.

8. The authors highlight that the decisions to not repatriate the children do not take into consideration the particular situation of each child and are not based on any individualized elements. Moreover, the best interests of the children and their specific needs are not taken into consideration. In addition, there is no control mechanism carried out by an independent organ that would allow for the evaluation of the motives and the facts on which the decisions were made.

9. The authors conclude that the State Party is not taking all the necessary measures to reduce the threats to life of the French children still detained in camps in the north-east of the Syrian Arab Republic.

4. Decision of the Committee

10. The Committee notes with satisfaction that over half of the children victims in the three communications have been repatriated. However, the Committee remains highly concerned about the situation of the children who remain in camps in the north-east of the Syrian Arab Republic. The Committee therefore decides to maintain the follow-up dialogue open and requests that the State Party provide updated information on the measures taken to repatriate the remaining children and to support their reintegration and resettlement, especially in the context of the evolving context of the camps and the political situation in the country.

B. *A.M. v. Switzerland* (CRC/C/96/D/80/2019)

Date of adoption of Views: 21 May 2024

Subject matter: Age assessment procedure in respect of an unaccompanied minor; return to Sweden

Articles violated: 3 (1) and (3) and 12

1. Remedy

11. The State Party should provide A.M. with effective reparation for the violations suffered, including by granting him the benefits that he would have enjoyed if he had been considered an unaccompanied child when he entered the territory of the State Party. The State Party is also under an obligation to ensure that such violations do not recur, by ensuring that the domestic authorities conduct age assessments in a comprehensive manner, that they adopt protective measures for young people claiming to be minors from the moment they enter the territory of the State Party and throughout the procedure by treating them as children and recognizing all their rights under the Convention, and that the persons concerned receive prompt and free assistance from a qualified representative during such procedures, including those related to the application of the Dublin III Regulation. The State Party was requested to include information about such steps in its reports submitted to the Committee under article 44 of the Convention. The State Party was also requested to publish these Views and to disseminate them widely.

2. State Party's response

12. In its submission dated 29 November 2024, the State Party noted that, following the Committee's Views, it adapted the personal data recorded in the migration system and reopened the author's asylum procedure in Switzerland, considering the fact that he was a minor at the time of submitting his asylum application.

13. The State Party further explains that, since 2019, medical assessments based on the application of three different methods to determine age are regularly requested. In the absence of legally sufficient identity documents, the alleged minority is examined based on a global and detailed assessment of the available indices. However, there are no mandatory measures to evaluate the psychological development of the individual concerned. The State Party does not intend to change this practice.

14. The State Party affirms that it is up to the individual to demonstrate that the alleged minority is credible. If the individual cannot prove that he or she is a minor, the individual is treated as an adult during the rest of the procedure. The State Party declared that it does not intend to change that practice, because it would lead to an increased potential for abuse or encourage abuse by adults.

15. The State Party concludes by declaring that the requirement that the individual is assisted by a representative or a trusted person during the asylum procedure has been satisfied. Under article 102*h* (1) of the Asylum Act of 26 June 1998, an individual is assisted by a representative from the beginning of the preparatory phase of the asylum procedure.

3. Author's comments

16. In a submission dated 24 April 2025, the author declares that the State Party has failed to provide him with effective reparation for the violations suffered, including by granting him the benefits that he would have enjoyed if he had been considered an unaccompanied child when he entered the territory of the State Party. He notes that he would have benefited from language courses and that he would have been admitted into a centre for transitional or integration studies where he would have been trained to become an electrician. The author also claimed compensation for his lawyers' fees for the procedure before the Committee. The author's requests have reached the Federal Department of Finance and the State Secretariat for Migration, however, those authorities have failed to take any action to date.

17. The author declares that it is almost impossible for Afghan children to prove their age with the official documents of their country of origin, because those documents are not recognized as acceptable proof by the State Party. Consequently, Afghan children are more often subjected to age expertise, which does not ensure the best interests of the child and constitutes discrimination.

4. Decision of the Committee

18. The Committee notes with interest the reopening of the author's asylum procedure to take into account the fact that he was a child when he arrived in the State Party. However,

the Committee regrets that the State Party does not intend to adopt general measures to change its practice concerning the age determination procedure, in particular to assess the psychological development and the presumption of minority during the age determination process.

19. The Committee notes that the State Party has not taken sufficient steps to implement the Committee's Views. Considering the foregoing, the Committee decides to keep the follow-up dialogue open regarding the individual measures of reparation, and requests the State Party to provide information on the author's access to language learning and educational opportunities. Regarding the general measures of reparation, and pursuant to article 11 (2) of the Optional Protocol, the Committee invites the State Party to submit information about any steps taken to comply with such measures in the context of its next report submitted under article 44 of the Convention.

C. *S.H.K. v. Denmark* (CRC/C/93/D/140/2021)

Date of adoption of Views:	16 May 2023
Subject matter:	Deportation of a girl to Somalia, where she would allegedly face a risk of being forcefully subjected to female genital mutilation
Articles violated:	3 and 19

1. Remedy

20. The State Party is under the obligation to refrain from deporting S.H.K. and the authors to Somalia. The State Party is also under the obligation to take all the steps necessary to prevent similar violations from occurring in the future. In that regard, the State Party was requested to ensure that asylum proceedings affecting children included a best interests analysis and that, where a risk of a serious violation was invoked as grounds for non-refoulement, the specific circumstances in which the children concerned would be returned are duly taken into account. The State Party was also requested to publish the Committee's Views and to have them widely disseminated in the official languages of the State Party.

2. State Party's response

21. The State Party informed the Committee that, on 8 August 2023, following the reopening of the authors' asylum procedure, the Danish Refugee Appeals Board found that it had been rendered probable that there was a significant risk that S.H.K. would be subjected to female genital mutilation should she return to Somalia and granted residence to the authors and their four children under section 7 (1) of the Aliens Act.

22. The State Party declared that the Committee's Views would be considered in the future by the Danish Immigration Service and the Refugee Appeals Board in their assessment of the international obligations of Denmark. The Board has made the Committee's views publicly available on its website.

23. The State Party explains that, considering the prevalence of English language skills in Denmark, it sees no reason for a full translation of the Committee's Views into Danish.

3. Decision of the Committee

24. In the light of the information provided, the Committee decides to close the follow-up dialogue with an A assessment (compliance), given that the measures adopted by the State Party are in large part satisfactory.

D. *M.L. et al. v. Georgia* (CRC/C/96/D/144/2021)

Date of adoption of Views:	24 May 2024
Subject matter:	State Party's failure to protect the rights of children residing in a closed church-run orphanage, including against physical and psychological violence
Articles violated:	articles 3, 12, 20, 23, 25 and 19, read in conjunction with article 37 (a)

1. Remedy

25. The State Party is under an obligation to provide an effective reparation to the child victims, including by: (a) providing adequate, comprehensive and timely compensation and rehabilitation for the violations suffered; (b) issuing a public apology to the child victims; (c) reassessing the situation of those still under State care, in line with the Convention; (d) conducting an effective, independent and prompt investigation of all criminal cases and prosecuting those found responsible. Reparation measures should be determined in coordination with the child victims to ensure that their views and opinions are taken into consideration. The State Party is also under an obligation to take all steps necessary to prevent similar violations from occurring in any private or public institution, in particular by: (a) ensuring a regular independent monitoring of such centres in the State Party; (b) guaranteeing that the entity responsible for the independent monitoring of such centres in the State Party can effectively exercise its mandate with the possibility to visit at any time and conduct confidential interviews with the children therein; (c) ensuring that there is a child-centred effective complaint system in all kinds of care institutions that is confidential, accessible, gender-sensitive and child-friendly in its approach; (d) guaranteeing access to legal aid and appropriate legal representation to all children who need support to exercise their rights or who must appear in court; and (e) ensuring to conduct with due diligence investigations into every allegation of a violation of the rights of the child and to undertake a diligent procedure each time that a child is victim of a crime or offence. The State Party was also requested to publish the Views and to disseminate them widely in the official languages of the State Party.

2. State Party's response

26. In their submission dated 25 December 2024, the State Party declared that, following the Views of the Committee, it had implemented measures to ensure effective reparation for the child victims and to prevent the recurrence of similar violations.

27. On 3 June 2021, the Investigative Unit of the Samtskhe-Javakheti Police Department initiated a criminal investigation into acts of violence allegedly perpetrated by the caregivers of the children concerned. As at 25 December 2024, the criminal case remained under active investigation to explore credible lines of inquiry, establish the circumstances of the case and determine responsibility.

28. The State Party explains that rehabilitation for the child victims is ensured through the direct involvement specialists of the agency for State care and assistance to victims of trafficking in persons, who work closely with children to develop individualized development plans and implement targeted interventions tailored to their specific needs. Social workers and other specialists conduct thorough assessments of a child's progress every six months, identifying the child's evolving needs and reviewing previously determined areas to ensure their continued relevance and effectiveness. Children receive additional services, as needed, including psychological support, access to day-care centres, individual assistance, psychiatric care and other essential services.

29. As at November 2024, 24 children remain under State care, and eight children continue to reside at the boarding school. In accordance with the Committee's Views, the agency for State care and assistance to victims of trafficking in persons re-evaluated the children's conditions, in October and November 2024, through a series of interviews. The

process was conducted by two independent psychologists and two social workers and covered key areas, including health, education, safety, psychoemotional and behavioural development, cognitive functioning, daily care and other critical aspects of the child's overall well-being. The specialists involved utilized a range of information sources, including interviews with the children and their caregivers, direct observations, analysis of past experiences and review of existing documentation and contributions from other relevant stakeholders. As at 25 December 2024, comprehensive analysis of the data collected during the evaluation was still in progress.

30. In addition, the State Party issued a public apology to the child victims and acknowledged its responsibility for the failure to protect the rights of the children, as guaranteed under the Convention.

31. Relating to the payment of indemnity, between 21 and 25 November 2024, four indemnity lawsuits were submitted before the Administrative Cases Chamber of the Tbilisi City Court. As at 25 December 2024, these cases remained under judicial review, with final decisions yet to be issued.

32. The agency for State care and assistance to victims of trafficking in persons ensures that children in State care have access to legal aid. Where a request is made and the child's consent is obtained, the necessary powers of attorney are issued to representatives of non-governmental organizations. As at November 2024, the agency for State care and assistance to victims of trafficking in persons has issued that type of power of attorney to seven children in State care. Following the Views of the Committee, lawyers from the organization International Partnership for Human Rights conducted meetings with 24 children, including former beneficiaries of the boarding school who remained in State care to ensure they had received the necessary legal assistance.

33. The Views adopted by the Committee were translated into Georgian and published in the official gazette of Georgia, the *Legislative Herald of Georgia*.

3. Authors' comments

34. The authors explain that, on 24 September 2024, the lawyers of the organization International Partnership for Human Rights were granted access to the children whom the Committee had formally recognized as victims of serious rights violations in its Views. On 9 October 2024, an introductory meeting was held at the Ninotsminda Saint Nino orphanage with eight resident children. The meeting was attended by the director of the agency for State care and assistance to victims of trafficking in persons, the staff, the director of the organization International Partnership for Human Rights and lawyers. The children were introduced to the organization's director, and their rights were explained. On 23 October 2024, a second meeting took place at the orphanage. During the meeting, the children were first interviewed by a social worker and a psychologist. Subsequently, individual consultations were held with the organization's lawyers. The lawyers explained the decision adopted by the Committee and the rights referred to therein. Four children expressed verbal consent to the lawyers to be represented by them in the proceedings to enforce the Committee's decision. However, several days after consenting, they officially withdrew their consent. The authors have serious concerns that the withdrawal of consent by several children within a matter of days without any explanation is indicative of psychological pressure and coercion. This pattern raises a strong presumption that the children may have been subjected to undue influence or even threats to prevent them from seeking compensation and reparation.

35. On 18 November 2024, the lawyers conducted another visit to the Ninotsminda Saint Nino orphanage. During that visit, all eight remaining children refused to meet with the lawyers individually. The agency for State care and assistance to victims of trafficking in persons did not acknowledge or investigate the sudden and coordinated withdrawal of consent and asserted that any refusal to engage with the lawyers reflected the children's own free will. The authors consider that inaction to be a failure to uphold the obligation to ensure that children are protected from coercion and can exercise their rights freely, especially given the serious implications of such withdrawal, namely, the forfeiture of legal assistance, compensation and other reparation measures.

36. By contrast, all victims who have since left the Ninotsminda Saint Nino orphanage, except for one individual, have agreed to seek reparation and actively participate in implementing the Committee's Views. The lawyers are currently in regular contact with and formally representing 11 victims who were named in the Committee's decision and have since left the facility.

37. As at 5 June 2025, none of the eight children residing in the Ninotsminda Saint Nino orphanage is participating in the implementation of the Committee's decision, nor is any of them receiving effective reparation, including compensation, rehabilitation or a public apology. Furthermore, the authors explain that no substantive progress has been made in the criminal investigation, since its initiation on 3 June 2021. No individuals have been formally charged or held criminally liable; no victims have been recognized as such under domestic criminal law; and no court judgment has been issued in connection with the reported violations.

38. In addition, the agency for State care and assistance to victims of trafficking in persons provided only three individual assessments concerning the child victims out of a total of 57 children affected. The assessments entirely disregard the children's past experiences of violence and trauma while placed in the Ninotsminda Saint Nino orphanage. The assessments focus exclusively on the children's current circumstances, without any consideration of the historical context that may have shaped their psychosocial or behavioural challenges. They fail to reflect the children's lived experiences of abuse and do not propose any targeted measures for trauma recovery, psychosocial support or reintegration. There is no consolidated or written record detailing the individual assessments or findings concerning the affected children.

39. Concerning rehabilitation measures, the agency for State care and assistance to victims of trafficking in persons provides only vague statistical references, stating for example that three children received rehabilitation services and four were evaluated, without identifying the individuals concerned or specifying the nature, scope or duration of the services provided.

40. An apology was issued before the Committee. However, the authors require that the apology be made accessible and visible not only to the victims but also to the broader public.

41. As at 5 June 2025, none of the compensation proceedings have concluded. The authors have expressed concern that any compensation awarded by domestic courts may be nominal in amount and insufficient to enable their recovery from the severe physical, psychological and emotional harm that they endured while residing in the Ninotsminda Saint Nino orphanage.

4. Decision of the Committee

42. The Committee notes that some initial measures have been taken by the State Party towards the implementation of the Committee's Views. However, the measures have not been sufficient. Considering the foregoing, the Committee decides to keep the follow-up dialogue open regarding the individual measures of reparation, compensation and rehabilitation and the criminal investigation. The State Party should provide, in particular, updated and detailed information on the ongoing procedures to provide compensation to the child victims and on the ongoing criminal proceedings, as well as on the rehabilitation measures. The Committee requests that the State Party reassess the situation of the children remaining in the Ninotsminda Saint Nino orphanage. The Committee is concerned about the fact that all children who still reside in the orphanage and who had initially agreed to pursue reparations simultaneously retracted that consent a few days later, which could indicate undue pressure or reprisals, and it calls upon the State Party to take prompt and effective measures to ensure that the child victims can freely pursue reparations at the national level free from external pressure or influence. It invites the State Party to inform the Committee of the specific measures taken in this regard. Regarding the general measures of reparation, and pursuant to article 11 (2) of the Optional Protocol, the Committee invites the State Party to submit information about any steps taken to comply with such measures in the context of its next report submitted under article 44 of the Convention.

E. *Camila v. Peru* (CRC/C/93/D/136/2021)

Date of adoption of Views:	15 May 2023
Subject matter:	Lack of access to therapeutic abortion for a girl who was sexually assaulted by her father
Articles violated:	2, 6, 13 (1), 16 (1), 19, 24, 37 (a) and 39 and 12 (1), read in conjunction with articles 6 and 24

1. Remedy

43. The State Party should provide the author with effective reparation for the violations suffered, including adequate compensation for the harm suffered and support to enable her to rebuild her life, including by pursuing her studies. The State Party should also give the author access to mental health services.

44. The State Party is under an obligation to prevent similar violations in the future. In that regard, the State Party should: (a) decriminalize abortion in all cases involving child pregnancy; (b) ensure access to safe abortion services and post-abortion care for pregnant girls, in particular in cases where there is a risk to the life or health of the mother and cases involving rape or incest; (c) amend the regulations on access to therapeutic abortion (Technical Handbook) to make it specifically applicable to girls and to ensure that due weight is given to the particular risks of mortality and morbidity involved in child pregnancy; (d) establish a clear and prompt remedy for failures to abide by the procedures set out in the Technical Handbook for access to induced abortion and ensure that those responsible for any such failures are held accountable; (e) provide clear instructions and training to health workers and judicial officials, including public prosecutors, on the rights protected under the Convention and on the application and interpretation of the laws on therapeutic abortion; (f) provide all children with appropriate and accessible education on sexual and reproductive health; (g) ensure that sexual and reproductive health information and services, including information on and access to contraceptives, are available to children and that children have effective access to them; and (h) establish an intersectoral mechanism to prevent the retraumatization of children who are victims of sexual abuse and ensure that they receive prompt and appropriate treatment.

45. The State Party was also requested to publish the Committee's Views, to have them translated into Quechua and to disseminate them widely.

2. State Party's response

46. In its submission dated 11 December 2023, the State Party reported the actions taken and progress made following the issuance of the Committee's Views. Concerning the decriminalization of abortion and ensuring access to safe abortion, the Ministry of Women and Vulnerable Populations has promoted the approval of bills to decriminalize abortion in cases of child pregnancy. The Ministry of Health has been making efforts to guarantee access to therapeutic abortion for children.

47. Concerning the amendment of the Technical Handbook, a proposal is being developed to include the notion of "informed consent", with the aim to take into consideration the consent of the pregnant girl or adolescent, even when contrary to the consent of the parents or legal guardians.

48. Concerning the training of health and judicial personnel, the Ministry of Health has promoted a training programme and a policy to collaborate with civil society and non-governmental organizations. The Office of the Public Prosecutor has been providing training on the protection of the rights of children to prosecutorial personnel. The Academy of Magistrates will incorporate the Committee's Views into the academic activities of the training programme for judges, prosecutors and judicial personnel.

49. Concerning the adequate education of children on sexual and reproductive health, the Ministry of Education adopted several regulations and guidelines concerning sexual

education, which address such topics as sexual rights, sexuality, consent, sexual violence and the prevention of gender-based violence and teenage pregnancy.

50. Concerning effective access for children to sexual and reproductive health services, the State Party reported that health facilities provide guidance and counselling on family planning and access to contraceptive methods to children who request it.

51. Concerning the establishment of an intersectoral mechanism to prevent the retraumatization of children who are victims of sexual abuse, the Ministry of Women and Vulnerable Populations approved various legal tools to prevent situations of revictimization and to guarantee the rights of children who are victims of gender-based violence.

52. The State Party affirms that it has made progress in complying with the Committee's Views. However, it recognizes that the current legislation must be improved and requests that the Committee grant an additional extension of 180 days to promote the implementation of the Views. The State Party explains that it will continue to progressively incorporate the recommendations of the Committee and that additional reports will be submitted to communicate such progress.

53. The State Party declares that the Committee's Views have been published on the website of the Ministry of Justice and Human Rights and are freely available. As different varieties of the Quechua language exist, the Ministry of Culture determined that the Chanka variety was the most appropriate in Camila's case. The translation will be carried out by translators registered in the National Registry of Interpreters and Translators of Indigenous and Native Languages.

3. Author's comments

54. In her comments dated 20 May 2024, the author explains that the State Party has not reported any progress on effective reparation to the author for the violations that she suffered, including adequate compensation for the harm suffered and support to continue her studies at university. The author informs the Committee that the National Scholarship and Educational Credit Programme has the authority to award scholarships to students. The author invites the Committee to request the State Party to award a scholarship that covers all costs of an undergraduate degree programme.

55. The author highlights that, more than a year after the submission of a bill proposing the decriminalization of abortion in cases of child pregnancy, no progress has been recorded towards its adoption. On the contrary, several legislative initiatives that are harmful and regressive to the rights of women have been submitted. On 15 November 2023, a bill recognizing the rights of the unborn child was approved. On 20 March 2024, a bill authorizing adoption from the womb in cases of unplanned pregnancy was proposed. Such bills hinder access to therapeutic abortion and deny girls the possibility of making decisions about their own bodies and whether to continue a pregnancy, as the legislation only seeks to protect the unborn child.

56. The author emphasizes that, in 2023, there were new cases of rape and denial of access to therapeutic abortion for girls, including the case of a 13-year-old girl who died as a result of complications during childbirth.

57. Concerning the amendment of the Technical Handbook, the author is concerned that the proposal of the Ministry of Health allows for the representatives of the Office of the Public Prosecutor, in the absence of consent from the child or from the parents, to decide on the viability of abortion. The representatives of the Office of the Public Prosecutor do not have the competence to decide on the viability of therapeutic abortion. Moreover, transferring that decision to another institution implies delaying the procedure, thereby increasing the risks for the life and health of the pregnant child. The author maintains that the 22 weeks' gestation limit should not be imposed, given that pregnancy of any duration poses a serious risk to the health of girls. Establishing a time limit for access to abortion increases the barriers that already exist for girls, such as the lack of sexual education that prevents them from recognizing pregnancy in early stages, the lack of knowledge about access to abortion, the lack of medical centres in some regions and fear, stigmatization and the possibility of revictimization in cases of sexual violence.

58. On 23 June 2023, the Congress of Peru adopted a new law establishing that education should not be a means to promote any type of social or political ideology, in particular in relation to gender-related and sexual education. It also gives associations, mostly religious and conservative, the power to veto school materials that include such topics.

4. Third-party intervention

59. In an intervention dated 2 November 2025, the third party, namely, the Centre for Reproductive Rights, noted that the author continues to work in temporary jobs under precarious and informal conditions.

60. The third party submits that the State Party has issued a series of regressive measures that block access to safe abortion and post-abortion care for girls and adolescents who are victims of sexual violence. The third party notes that, on 5 June 2025, the Clinical Practice and Procedure Guide in Obstetrics and Perinatology of the National Maternal Perinatal Institute was modified. The procedure that allowed for girls and adolescents to gain access to therapeutic abortion for mental health harm caused by pregnancy resulting from sexual violence was deleted, as were provisions aimed at ensuring differentiated and specialized care for girls and adolescents. The third party also submits that acts of harassment were perpetrated against the National Maternal Perinatal Institute with a view to having the Clinical Practice Guide repealed and to obstructing the implementation and effective nationwide access to scientifically and legally supported therapeutic abortion. Those actions created confusion regarding the continued legality of therapeutic abortion, recognized in the Penal Code and the national Technical Handbook.

61. The third party notes that, on 28 June 2025, the Ministry of Health modified the national Technical Handbook, establishing that adolescents must be heard and that their opinion must be taken into account in the process to request a therapeutic abortion. Moreover, if a doctor refuses to perform an abortion due to conscientious objection, they must notify the patient in writing and within 24 hours another doctor must be designated to ensure care. However, the third party submits that significant deficiencies persist, such as the requirement that consent to access to the service must be granted by a legal representative of the girl or adolescent and the absence of safeguards to ensure respect for the progressive autonomy of such patients during the process. Furthermore, the national Technical Handbook does not define what conscientious objection is, nor does it establish any limits or obligations. In addition, the State Party has yet to incorporate child pregnancy as an automatic condition for access to therapeutic abortion, which should not require approval by a medical board or be limited to 22 weeks' gestation.

62. The third party notes that, on 15 April 2025, the State Party enacted Law No. 32301 which classifies the use of international cooperation funds for legal assistance in cases against the State Party as a very serious offence. The sanctions include fines ranging from 50 to 500 tax units and/or the cancellation of the organization's registration in the Peruvian Agency for International Cooperation. The third party submits that international cooperation funds are one of the essential resources for guaranteeing access to legal representation for children and other people in situations of poverty or structural vulnerability. Consequently, Law No. 32301 constitutes an immediate risk to the author's right to access to justice and her right to freely choose her defence, as she is legally represented by the Centre for the Promotion and Defense of Sexual and Reproductive Rights, a non-governmental organization that receives international cooperation funds.

5. Decision of the Committee

63. The Committee notes with satisfaction that the State Party has reported some initial measures to comply with the Committee's Views and is committed to continuing to report on such progress. It welcomes, in particular, amendments to the national Technical Handbook aiming at allowing for the child to be heard and at ensuring the child's informed consent in the context of decision-making when a therapeutic abortion is requested. However, the Committee is concerned about reports of regressive legislative measures and acts of harassment perpetrated against the National Maternal Perinatal Institute. In addition, the Committee is highly concerned about the risk of sanctions and reprisals against the author's legal representation arising from the potential application of Law No. 32301. The Committee

regrets that the State Party has not provided Camila with any compensation to date, including support to pursue her studies.

64. In the light of the foregoing, the Committee decides to keep the follow-up dialogue open. The Committee pursuant to article 11 (2) of the Optional Protocol, invites the State Party to submit further detailed information on any progress towards compliance with individual and general measures of reparation.

F. *D.E.P. v. Argentina* (CRC/C/94/D/89/2019)

Date of adoption of Views: 19 September 2023

Subject matter: Criminal conviction of the author without taking into account the fact that he was a child when determining the length of the sentence, without prioritizing his social rehabilitation and without ensuring that he received differentiated treatment while serving his sentence

Articles violated: 37 (b) and 40 (1) and article 4, read in conjunction with articles 37 (b) and 40 (1)

1. Remedy

65. The State Party should provide D.E.P. with effective reparation for the violations suffered. The State Party is also under an obligation to prevent similar violations from occurring in the future.

66. The Committee recommended that the State Party: (a) abrogate Act No. 22.278 on juvenile justice and adopt a new law consistent with the Convention and international standards on juvenile justice, in the terms set forth in the Committee's Views and in general comment No. 24 (2019) on children's rights in the child justice system; (b) ensure a juvenile justice regime that extended protection to children who were under 18 years of age at the time of the commission of the offence but who reach that age during the trial or sentencing and guarantee a periodic review of the sentence while it is being served to assess its necessity under the terms of articles 37 (b) and 40 (1) of the Convention; (c) take all necessary measures, including strengthening the policy on non-custodial measures and reintegration measures for juvenile offenders, to ensure that children were held in detention only as a last resort and for as short a time as possible, in accordance with article 37 (b) of the Convention.

67. The State Party was requested to include information about such steps in its reports submitted to the Committee under article 44 of the Convention, and it was requested to publish the Committee's Views and to disseminate them widely.

2. State Party's response

68. In its submission dated 28 June 2024, the State Party explained that information had been requested from the various government departments, which had not been received in its entirety.

3. Author's comments

69. In his submission dated 23 May 2025, the author declared that the State Party had failed to provide him with effective reparation for the violations suffered.

70. The author highlights that the State Party has promoted a bill that establishes criminal responsibility from 14 years of age. Although the bill sets out educational and resocialization objectives, it maintains a punitive structure typical of the adult criminal justice system, including custodial sentences of up to 15 years' duration. The bill does not include a system for periodic judicial review to assess whether a custodial sentence should be continued. It reintroduces discretionary such criteria as the personality of the child or the direct impression of the judge.

4. Decision of the Committee

71. The Committee notes that the State Party has not taken sufficient steps to implement the present Views or in particular to provide compensation to D.E.P. for the violations suffered.

72. In the light of the foregoing, the Committee decides to keep the follow-up dialogue open and to request information from the State Party on the measures taken to comply with the Committee's Views. The Committee recalls that, by ratifying the Optional Protocol, the State Party committed to engaging in good faith and cooperating with the Committee, including by providing follow-up information under article 11 (1) thereof.

G. *G.G.P. v. Paraguay* (CRC/C/95/D/119/2020)

Date of adoption of Views:	26 January 2024
Subject matter:	Unjustified delay in the recognition of paternal filiation, affecting the right to identity and child maintenance
Articles violated:	3, 8, 18 and 24 (4)

1. Remedy

73. The State Party is under an obligation to provide G.G.P. with an effective remedy for the violations suffered, including adequate compensation. The State Party should also adopt the measures necessary to ensure the prompt enforcement of the judgment in the filiation proceedings, to ensure that G.G.P. has access to child maintenance in a timely manner. It is also obliged to reimburse the author for the legal expenses incurred during the proceedings and for the expenses incurred to pay the experts in connection with the various summonses for DNA testing.

74. The State Party is also under an obligation to prevent similar violations in the future. In that regard, the Committee recommended that the State Party: (a) promote access to justice through the adoption of effective mechanisms to facilitate the prompt determination of the filiation of children born to unmarried parents, such as the establishment of expedited procedures, prompt and timely notifications, free DNA testing and exemption from court costs; (b) ensure the due provision of international judicial assistance in order to reduce contingencies and procedural formalities required by the use of rogatory commissions; (c) ensure the prompt enforcement of judgments in filiation proceedings, in order to ensure, inter alia, the payment of child maintenance, in accordance with articles 18 and 27 (4) of the Convention; (d) provide training for, and evaluate the understanding of, judges and other judicial officials for children and adolescents and relevant professionals working in child protection regarding the Committee's general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and the Committee's Views.

75. The State Party was also requested to publish the Committee's Views and to disseminate them widely.

2. State Party's response

76. In its submission dated 31 October 2024, the State Party informed the Committee that the registration of G.G.P. as the biological son of G.G. was ordered by judgment of 1 September 2020. G.G.P.'s birth certificate was rectified on 14 September 2023. An official letter communicating the judgment to the French authorities and requesting that they register the decision in the relevant proceedings was issued on 18 September 2023. Moreover, the Legal Affairs Directorate of the Ministry of Foreign Affairs was in the process of gathering information on the defendant's assets.

77. The State Party explains that, concerning the payment of adequate compensation and reimbursement of expenses, it is necessary to determine the amount to be paid, based on what

the author considers to be adequate compensation and the presentation of all documentation that proves the expenses incurred.

78. The State Party highlights that, since 2021, the electronic judicial filing system has been in use in juvenile courts in the capital and is being expanded nationwide to improve response times for litigants. Efforts have been made to integrate the technology into the process of collecting samples for histocompatibility (HLA) and immunogenetics (DNA) studies in paternity trials, without incurring additional expenses for the litigants.

79. The State Party explains that the process of litigating without expenses applies in juvenile courts, exempting individuals from court fees, trial expenses and costs. Moreover, the State Party reports that free legal aid is available and that there are more than 100 professionals specializing in children's rights.

80. The State Party reports that a training workshop was organized for magistrates and court clerks on implementing international agreements regarding private international law and ensuring that the main actors involved in international judicial notifications are adequately informed for the efficient processing of letters rogatory. Moreover, with the aim of training judges and judicial officials working with children, training sessions were held on emergency admission protocols for children and adolescents, as well as on child return procedures.

81. The State Party declares that the Committee's Views have been shared with all relevant institutions through letters addressed to the highest institutional authorities and published on the digital platform SIMORE Plus. The State Party declares that efforts will continue to be made to disseminate the Committee's Views through various national institutions.

3. Author's comments

82. In her submission dated 26 March 2025, the author points out that she has no record of an official letter having been sent to the French authorities to request the registration of her son.

83. The author explains that a request was filed to have the ruling on the professional fees enforced, but the proceedings have not advanced. The court in charge of the case has not even issued the initial ruling. Moreover, the author requested the reimbursement of the expenses from the Ministry and Economy and Finance on 25 February 2025 and received an acknowledgement of receipt on 26 February 2025 but no further communication.

84. The author notes that it is uncertain whether the judges responsible for the delay participated in the courses organized for magistrates and court clerks on the implementation of international agreements.

85. The Committee's Views were only disseminated on the digital platform SIMORE Plus and in letters addressed to the highest authorities. The State Party did not publish the case in the mass media.

4. Decision of the Committee

86. The Committee takes note of the measures taken but regrets that the State Party has not taken sufficient steps to implement the Committee's Views. The Committee regrets the failure of the State Party to provide compensation to the author and G.G.P. for the violations suffered.

87. In the light of the foregoing, the Committee decides to keep the follow-up dialogue open and to request specific updated information from the State Party.

H. *J.M. v. Chile* (CRC/C/90/D/121/2020)

Date of adoption of Views:	1 June 2022
Subject matter:	Return to Spain of a child with autism under the Convention on the Civil Aspects of International Child Abduction
Articles violated:	3 (1), read alone and in conjunction with articles 9 and 23

1. Remedy

88. The State Party should conduct a new assessment of the request to return J.M. to Spain, considering the time that has elapsed and the extent of J.M.'s integration in the State Party. The State Party should grant J.M. effective reparation for the violations suffered, including adequate compensation. The State Party is obliged to prevent the recurrence of such violations by ensuring that the best interests of the child are a primary consideration in decisions concerning their international return. The State Party was requested to include information about such steps in its reports submitted to the Committee under article 44 of the Convention. The State Party was also requested to publish the Committee's Views and to disseminate them widely.

2. State Party's response

89. In its submission dated 10 December 2024, the State Party explained that, on 4 July 2024, the Family Court of Viña del Mar directed the renewal of the search and retrieval order for J.M., the reiteration of the restraining order against the author and her son J.M. and the authorization for the police to break into and search the home where J.M. was located, in case he was not voluntarily handed over by the person currently caring for him. However, the whereabouts of J.M. have not been determined. Following that situation, two criminal cases were opened before the Viña del Mar Court of Guarantees for the crimes of contempt and child abduction.

90. Concerning the new assessment of the request to return J.M. to Spain, the Research Department of the Supreme Court of Chile, on 11 November 2024, prepared a new report on the alternatives available and proposed that compliance with the Views of the Committee should be framed jurisdictionally before the Family Court of Viña del Mar. In that regard, it was suggested that a new hearing be convened to encourage the parties to reach a new agreement, prioritizing the best interests of J.M. However, the hearing must be requested by one of the parties involved in the case.

91. The State Party set up a working group to determine the amount of reparation to be awarded. The author submitted a proposal for moral damages and consequential damages, which is currently under evaluation by the State Party.

3. Author's comments

92. In a submission dated 10 May 2025, the author expressed her deep concerns due to the repeated arrest and search warrants against her and her son J.M. The current court orders constitute an indirect way of enforcing a measure that the Committee has found to be in violation of the Convention. The coercive measures issued against J.M. did not consider his clinical condition or contemplate specific measures for his psychoemotional protection. On the contrary, the authorities expressly authorized the use of force to separate him from his caregiving environment.

93. The author explains that it was proposed that a new hearing be held to encourage a new agreement between the parties. However, that hearing is supposed to be held in the Family Court of Viña del Mar, the same court that has issued multiple search and arrest warrants against the author and her son J.M. and which, at a hearing on 6 November 2020, failed to address the minimum safeguards concerning J.M.'s psychological and emotional well-being. No protective measures were discussed, and the Family Court of Viña del Mar merely set a date for air transport.

94. The author argues that the claim that the solution to the conflict depends exclusively on the actions of the parties is unacceptable from the perspective of international human rights law. The international responsibility of the State Party is objective and cannot be shifted to individuals.

95. The author explains that no judicial or administrative decision has been issued to restore the violated rights or establish safe and stable living conditions for J.M. The risk persists, as the coercive orders remain in force, and is a constant threat to his well-being.

4. Decision of the Committee

96. The Committee notes that the State Party has not taken sufficient steps to implement the Committee's Views. In the light of the foregoing, the Committee decides to keep the follow-up dialogue open and to request specific updated information from the State Party.

I. *S.N. et al. v. Finland* (CRC/C/91/D/100/2019)

Date of adoption of Views:	12 September 2022
Subject matter:	Repatriation from refugee camps in the Syrian Arab Republic of children whose parents are linked to terrorist activities
Articles violated:	6 (1) and 37 (a)

1. Remedy

97. The State Party should provide the authors and the child victims with effective reparation for the violations suffered. The State Party is also under an obligation to prevent similar violations in the future. In that regard, the Committee recommended that the State Party: (a) take urgent positive measures to repatriate the child victims, acting in good faith; (b) support the reintegration and resettlement of each child who had been repatriated or resettled; (c) take additional measures, in the meantime, to mitigate the risks to the lives, survival and development of the child victims while they remained in the north-eastern part of the Syrian Arab Republic.

98. The State Party was requested to include information about such steps in its reports submitted to the Committee under article 44 of the Convention. The State Party was also requested to publish the Committee's Views and to disseminate them widely.

2. Previous follow-up decision

99. In the follow-up progress report on individual communications adopted at its ninety-fifth session,¹ the Committee decided to maintain the follow-up dialogue open and to request further information from the State Party on the prompt implementation of the Committee's Views, including any specific measures taken to attempt to seek the mothers' consent to be repatriated with the children.

3. State Party's response

100. In its submission dated 15 April 2024, the State Party observed that the Committee considered that the communication based on the State Party's failure to repatriate S.M., K.M. and J.M. had become moot and therefore decided to discontinue that part of the communication. Consequently, the Views, including any recommendations as to remedy, do not concern those persons.

101. The State Party emphasizes that, since 2019, it has been the State Party's unequivocal and common resolve to repatriate children from the Al-Hol camp as soon as possible. It has maintained regular contact with every detained individual who has been willing to engage. The State Party declares that it has continued regular communications with the non-State

¹ [CRC/C/95/2](#).

actor in control of the camps in the north-east of the Syrian Arab Republic. The State Party explains that full details of the engagements cannot be disclosed, in order to maintain confidential and operational relations with the non-State actor and other relevant partners.

102. The State Party notes that, of the nine adult individuals who have already been repatriated together with their children, all nine started actively engaging with the State Party while still in detention in the north-east of the Syrian Arab Republic. The State Party recalls that not one adult individual still in detention has at any point demonstrated any willingness to enter into a dialogue with the State Party. The reason for their prolonged detention does not depend upon the actions of the State Party, but on the actions and dispositions of the mothers themselves. The State Party declares that, should the mothers of the children in question be willing to start engaging with the State Party in order to provide protection for the children, the State Party would be fully able to protect them.

4. Authors' comments

103. In their comments dated 30 September 2024, the authors explain that several returned families had travelled on their own and received help only once they were in Türkiye.

104. The authors argue that the State Party confuses the rights of the adults and the children and does not explain which steps have been taken to assess the best interests of the children. Moreover, the authors denounce using language that may be understood as putting the blame on the mothers.

5. Decision of the Committee

105. The Committee notes with satisfaction the positive measures that have already been taken to repatriate the children. While the Committee remains highly concerned about the situation of the children still in the camps, it takes note of the State Party's efforts in facilitating such repatriation, as well as the uncontested obstacles faced, notably by the mothers' lack of engagement with the State Party. The Committee trusts that the State Party will continue to monitor the situation of the remaining children, in particular in light of the deterioration of their living conditions. The Committee therefore decides to close the follow-up dialogue with a B assessment (partial compliance).

J. *M.E.V. et al. v. Finland* (CRC/C/97/D/172/2022)

Date of adoption of Views:	13 September 2024
Subject matter:	Granting of a mineral exploration permit on Sámi people's traditional territory without impact assessment nor free, prior and informed consent.
Articles violated:	8, 27 and 30, read alone and in conjunction with articles 2 (1) and 12

1. Remedy

106. The State Party should provide the authors with effective reparation for the violations suffered, including by effectively revising the mineral exploration project, after a child rights-oriented impact assessment, as a first stage that would make it possible to carry out an adequate process of obtaining the free, prior and informed consent of the authors' *siida* (community of reindeer herders), in which the authors should effectively participate. The State Party is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. In that regard, the State Party was requested to pursue its efforts to amend its legislation to enshrine the international standard of free, prior and informed consent, specifically ensuring the participation of affected Indigenous children, and to include an environmental and social, including children's rights-oriented, impact assessment.

107. The State Party was requested to include information about any such measures in its reports submitted to the Committee under article 44 of the Convention. The State Party was

also requested to publish the Committee's Views, to have them translated into the official languages of the State Party and into Northern Sámi and to disseminate them widely.

2. State Party's response

108. On 9 April 2025, the State Party notes that the Mining Act provides that, if the area covered by the application for a mining permit is located in the Sámi Homeland, the permit applicant must provide an adequate report on the effects of the activities referred to in the application on the right of the Sámi as an Indigenous People to maintain and develop their language, culture and traditional livelihoods. The permit applicant must also provide a report on the effects of the activities covered by the application outside the Sámi Homeland, if the activities have a major impact on the rights of the Sámi as an Indigenous People.

109. The State Party notes that, under the Mining Act, the permit authority must assess the effects caused by activity in accordance with the exploration permit, mining permit or gold panning permit on the rights of the Sámi as an Indigenous People to maintain and develop their own language and culture and traditional livelihoods and must consider measures required for decreasing and preventing damage. Furthermore, the Sámi Parliament, the Skolt village meeting and the local reindeer herding cooperative must be given an opportunity to comment on the report before the start of cooperation.

110. The State Party notes that the Mining Act provides that, in an area specifically intended for reindeer husbandry, the permit authority must, in cooperation with the reindeer herding cooperatives operating in the area, investigate the harm caused to reindeer husbandry by the activities covered by the permit.

111. The State Party notes that the Mining Act prohibits granting exploration, mining or gold panning permits in the Sámi Homeland, the Skolt area or special reindeer herding areas, if the activities would significantly undermine Sámi culture or livelihoods, harm Skolt living conditions or cause substantial damage to reindeer herding.

112. The State Party reports that the Ministry of Economic Affairs and Employment drafted a new decree on mining activities at the end of 2023, and the draft was negotiated with the Sámi Parliament in January 2024. The proposed decree further specifies the applicant's reporting duties and the assessment and cooperation procedure under the Mining Act, ensuring impartial and adequate evaluation by the authorities. A preliminary negotiation on the required amendments was held in October 2024 under the Sámi Parliament Act, but the parties agreed to suspend drafting of the decree pending a thorough review of the Committee's Views issued that month.

113. The State Party notes that the Supreme Administrative Court reviewed the handling by the Safety and Chemicals Agency of the mineral exploration permit. The Court found that the Agency had adequately assessed the project's impact on Sámi rights under the Mining Act and ensured that the Sámi had a genuine opportunity to participate in the negotiation process. The Court also clarified that the Mining Act did not require Sámi consent for granting an exploration permit.

114. The State Party notes that the reform of the Act on the Sámi Parliament is aimed at implementing the principle of free, prior and informed consent in line with international law. Under the proposed section 9, negotiations with the Sámi Parliament must genuinely safeguard Sámi rights as an Indigenous People and be conducted in good faith and mutual respect, not merely to meet formal legal requirements.

115. As regards the right of children to be heard and express their views freely in all matters that affect them, the State Party notes that the Sámi Parliament and the reindeer herding cooperatives naturally have the opportunity to establish good practices to hear the views of Sámi children and to transmit those views onward, as well as to ensure inclusive representation. Therefore, while statutory consultation and negotiation obligations may not always directly apply, there are opportunities for Sámi children to be heard.

116. The State Party reports that the Ministry for Foreign Affairs issued a press release on the Views of the Committee on 10 October 2024, available in Finnish, Swedish and English. The Views of the Committee were annexed to the press release. The Ministry translated the Views of the Committee into Finnish and disseminated them to all relevant authorities. Furthermore, the Ministry commissioned translations of the Views into Northern Sámi.

3. Authors' comments

117. In their comments dated 6 July 2025, the authors note that the mineral exploration permit for the project Lätäs 1 expired on 21 June 2025, as the State Party did not renew it before that date. The authors note that, as the Mining Act allows for new permit applications by companies or the Geological Survey Agency, the areas in question do not enjoy protected status against new projects.

118. The authors note that the State Party, in its observations, referred to domestic court decisions as precedents, even if exactly those decisions were found by the Committee to constitute violations of the rights of the Indigenous Sámi People. The authors claim that, as human rights treaties form part of State Party's law under the Constitution of Finland, court rulings found to violate such treaties cannot serve as precedents and the State Party must amend the Mining Act to comply with its international obligations. However, the State Party has not initiated a process for amending the Mining Act to prevent similar human rights violations in the future.

119. The authors note that the State Party fails to demonstrate an adequate commitment to a child rights-oriented impact assessment or to amending the Mining Act to comply with the principle of free, prior and informed consent. The amendments to the Sámi Parliament Act do not amount to appropriate implementation of the Committee's Views and do not fully reflect the United Nations Declaration on the Rights of Indigenous Peoples or the requirements of the principle of free, prior and informed consent. The references by the State Party to the consultative status of the Sámi Parliament in respect of public authorities do not amount to the full respect for the Indigenous Sámi People's right to self-determination, right to enjoy their own culture and land rights.

120. The authors note that the State Party disregards the requirement of an effective remedy for the violations of the authors' rights. The authors recall that Indigenous Peoples' individual and collective rights, including in respect of their culture and self-determination, require control over their natural resources. The authors claim that, without the recognition of Sámi land rights and the adequate adaptation of the Mining Act to incorporate that recognition, mineral prospecting, exploration or exploitation in the Sámi Homeland will most likely be a source of new human rights violations in the future, which is particularly pertinent given the threat posed by climate change to the culture and way of life of the Sámi and the risk that the authorities of the State Party will resort to such measures of a "green transition" that will further aggravate the adverse effects of climate change on the life of the Sámi and their own capacity to adapt, in an environmentally sustainable manner, their culture to the circumstances of climate change and to transmit it to new generations.

4. Decision of the Committee

121. The Committee notes that, on 27 January 2022, the State Party informed it that the implementation of the exploration permit was suspended in response to the interim measures requested by the Committee on Economic, Social and Cultural Rights in the context of its consideration of *J.T. et al. v. Finland*² concerning the same Sámi *siida*. It also notes that the permit for the project expired in June 2025. Since January 2022, there has been no new harm to the authors regarding their right to enjoy and transmit their own culture on their traditional reindeer herding lands. With regard to its general recommendations, the Committee considers that some initial action has been taken with the reform of the Sámi Parliament Act, but that further action to implement them in full and additional information on the measures taken are still needed. In the light of the foregoing, the Committee decides to close the follow-up

² Committee on Economic, Social and Cultural Rights, *J.T. et al. v. Finland* (E/C.12/76/D/251/2022-E/C.12/76/D/289/2022).

dialogue with regard to the individual measures of reparation with an A (compliance) assessment. With regard to the general measures of reparation, the Committee decides to close the follow-up procedure for the present communication and invites the State Party to provide specific and complete information on the measures taken in relation to those recommendations in its next report submitted under article 44 of the Convention.

K. *C.C.O.U. et al. v. Denmark* (CRC/C/94/D/145/2021)

Date of adoption of Views:	19 September 2023
Subject matter:	Separation of children from their father due to his deportation to Nigeria
Articles violated:	3, 7, 9 and 10

1. Remedy

122. The State Party is under an obligation to refrain from returning the author to Nigeria and to ensure a reassessment of his claim, making the best interests of C.C.O.U, C.C.A.M. and A.C.C. a primary consideration. It is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. In that regard, the State Party was requested, in particular, to ensure that, in asylum or other proceedings directly or indirectly affecting children, an assessment of the best interests of the child as a primary consideration was conducted. In decisions involving the separation of children from one of their parents or caregivers, the State Party should ensure, in particular, a careful consideration of the impact of the separation on the children in the light of their specific circumstances and consider all possible alternatives to such a separation.

2. Previous follow-up

123. In the follow-up progress report on individual communications adopted at its ninety-eighth session,³ the Committee decided to maintain the follow-up dialogue open and to request further information from the State Party.

3. State Party's response

124. On 12 April 2024, the State Party submitted that, on 1 November 2023, the Immigration Appeal Board had decided to reopen the author's case regarding obtaining a residence permit due to exceptional reasons and that, on 27 November 2023, the Immigration Appeal Board referred the case to the Danish Immigration Service. On 26 March 2024, the Danish Immigration Service rejected the author's application for a residence permit. On 8 April 2024, the author appealed the decision to the Immigration Appeals Board. On 4 December 2024, the Immigration Appeals Board reversed the decision and referred the case to the Danish Immigration Service.

125. On 1 April 2025, the Danish Immigration Service granted the author a residence permit due to exceptional reasons under section 9 (c) (1) of the Aliens Act. The author's re-entry ban was lifted under section 32 (8) (1) of the Aliens Act.

126. The State Party asserted that the Views adopted by the Committee were forwarded to the Danish Immigration Service, the Immigration Appeals Board, the Refugee Appeals Board, the Ministry of Immigration and Integration, the Ministry of Social Affairs, Housing and Senior Citizens, the Director of Public Prosecutions, the Danish Court Administration and the parliament.

4. Author's comments

127. The author stated that he has no further comments, since he was granted a residence permit.

³ [CRC/C/98/2](#).

5. Decision of the Committee

128. The Committee notes that the State Party has reassessed the author's claim, taking the best interests of the children as a primary consideration, and that, as a result, the author has been granted a residence permit and the re-entry ban has been lifted. In the light of the foregoing, the Committee decides to close the follow-up dialogue with an A (compliance) assessment.
