

CRPD	Ratification Date	Care-Related Concluding Observations
	1 August 2008	
		Country Report
CRC	Ratification Date	Care-Related Concluding Observations
	24 September 1990	<p>CRC/C/BGD/CO/5 29 October 2015</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBGD%2fCO%2f5&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>A. General measures of implementation (arts. 4, 42 and 44, para. 6, of the Convention)</p> <p>Data collection</p> <p>13. The Committee is concerned about the insufficient data on children in street situations, children with disabilities, and indigenous children as well as the inadequate data on violence against children, including sexual violence and trafficking in children.</p> <p>14. In the light of its general comment No. 5 (2003) on General measures of implementation, the Committee urges the State party to improve its data collection system. The data should cover all areas of the Convention and should be disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background to facilitate analysis on the situation of all children, particularly those in situations of vulnerability. Furthermore, the Committee recommends that the data and indicators be</p>

		<p>shared among the ministries concerned and used for the formulation and evaluation of policies, programmes and projects for the implementation of the Convention.</p> <p>D. Violence against children (arts. 19, 24, para. 3, 28, para. 2, 34, 37 (a) and 39)</p> <p>Corporal punishment</p> <p>39. The Committee welcomes Act No. 13.010 (“Boy Bernardo Act”) in 2014 prohibiting corporal punishment in all settings. However, the Committee is concerned that the law is not effectively enforced and that corporal punishment remains widely practiced and tolerated as a method of disciplining children.</p> <p>40. In the light of its general comment No. 8 (2006) on corporal punishment, the Committee recommends that the State party strengthen its efforts to enforce Act No. 13.010. It furthermore recommends that the State party promote positive, non-violent and participatory forms of child-rearing and discipline.</p> <p>Sexual exploitation and abuse</p> <p>41. The Committee welcomes Act No. 12.978 of 2014 which defines the sexual exploitation of children as a heinous crime. The Committee takes note of initiatives to curb child sex tourism such as the <i>Convergence Agenda for the Integral Protection of Children in the context of Major Events</i>, as well as awareness-raising programmes in the context of the 2014 World Cup and 2016 Olympic Games. However, the Committee remains seriously concerned about:</p> <ul style="list-style-type: none"> (a) The high levels of sexual abuse of and sexual violence against children in schools, institutions, and the family, as well as reports of this occurring in police stations and places of detention; (b) The high and increasing numbers of children involved in prostitution or trafficked for that purpose as well as the involvement of tourist agencies, hotels and taxis in child sex tourism, particularly in areas where large development projects are being implemented, in the North and North-east of the State party, and in connection with the 2014 World Cup and 2016 Olympic Games;
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		<p>(c) Reports that there have been no investigations, prosecutions, or convictions of child sex tourists, despite the fact that child sex tourism increased significantly during the 2014 World Cup;</p> <p>(d) Reports of police officers and government officials being involved in trafficking of children for commercial sexual exploitation;</p> <p>(e) The short-term approach towards the problem of child prostitution, evidenced by the expulsion of child sex workers from touristic areas, their temporary placement in shelters during the Confederations Cup in 2013, and the abrupt cessation of support for these shelters after the event; and,</p> <p>(f) The lack of shelters for child victims of sexual exploitation and abuse.</p> <p>42. The Committee urges the State party to:</p> <p>(a) Ensure prompt and timely investigation of cases of child sexual abuse, particularly in the family, schools, institutions, police stations and places of detention, and ensure the enforcement of commensurate sanctions against perpetrators;</p> <p>(b) Expeditiously undertake effective measures to combat child sex tourism, particularly for the 2016 Olympic Games and other large scale development projects, and strictly enforce legislation combating sexual exploitation of children; and, collaborate with civil society organizations and NGOs to improve coordination of programmes and initiatives, and enhance the presence of law enforcement personnel and social workers in areas known for child prostitution, including in large development projects and tourist areas in the North and Northeast of the State party; and, in doing so, prioritise the prosecution of cases arising from the 2014 World Cup;</p> <p>(c) Strengthen efforts to investigate, prosecute, and convict perpetrators and facilitators of sexual exploitation of children, including by regular spot checks of tourist agencies and owners of so-called “Love Motels”;</p> <p>(d) Ensure accessible and effective reporting channels, with adequate witness protection programmes, for cases where police officers and/or government officials are involved in trafficking of children for commercial sexual exploitation; and,</p>
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		<p>consider this to be an aggravating factor in the sentencing of such perpetrators;</p> <p>(e) Conduct a comprehensive study on root causes contributing to the vulnerability of children to child prostitution and child sex tourism, and apply the findings for the development of a long-term strategy to prevent child prostitution;</p> <p>(f) Take immediate steps to establish shelters for child victims of sexual abuse and commercial sexual exploitation to provide rehabilitation and social reintegration services; and,</p> <p>(g) Take into account the outcome document adopted at the 2008 World Congress against the Sexual Exploitation of Children held in Rio de Janeiro.</p> <p>Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</p> <p>Children deprived of a family environment</p> <p>45. The Committee takes note of the progress made with regards to the adoption of minimum standards for alternative care. However, the Committee remains concerned about the continued placement of children in institutions on the basis of their families' socio-economic vulnerability. The Committee is also concerned about:</p> <p>(a) The lack of foster care programmes in many states as well as the fact that foster care represents a very low percentage of the alternative care services;</p> <p>(b) The high levels of violence against and abuse of children living in institutions; and,</p> <p>(c) The lack of government oversight of private institutions, which often do not comply with the minimums standards, as well as the inadequate qualification of personnel.</p> <p>46. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for</p>
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		<p>receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:</p> <ul style="list-style-type: none"> (a) Expedite the implementation of foster care programmes in all states, including by providing adequate human, technical and financial resources for these programmes, with a view to prioritizing family-type care settings, including foster families, over institutionalized placement and ensuring the provision of adequate and timely support for foster families; (b) Investigate and prosecute those responsible for child abuse in alternative care settings and ensure that victims of abuse have access to complaints procedures, counselling, medical care and other recovery assistance; (c) Establish a systematic monitoring mechanism for private care institutions, with a view to ensuring compliance with minimum quality standards; and, (d) Implement competency-based criteria for the selection, training, support and evaluation of childcare workers. <p>Adoption</p> <p>47. The Committee takes note of the creation of national registries for children available for adoption and for people interested in adopting. However, it is concerned about reports of irregular adoptions due to corruption amongst officials administering adoptions. The Committee is further concerned about the lack of statistical data on domestic and inter-country adoption as well as information indicating that most adoptions are international adoptions.</p> <p>48. The Committee recommends that the State party:</p> <ul style="list-style-type: none"> (a) Investigate all cases of irregular adoption and review the current mechanisms and procedures for domestic and inter-country adoption with a view to ensuring that professionals responsible for adoption cases are fully equipped with the technical expertise needed to review and process cases in accordance with the Hague Convention; and, (b) Establish monitoring and data collection mechanisms on domestic and inter-country
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		<p>adoption to complement the existing national registries.</p> <p>Children in prison with their mothers</p> <p>49. The Committee takes note of Act No. 11.942 of 2009 governing minimum assistance services for incarcerated mothers and their children. However, it is concerned that this legislation has not been effectively implemented. The Committee is seriously concerned about overcrowding and poor sanitation facilities in prisons, as well as limited access to health services, education and recreational activities for incarcerated mothers and their children.</p> <p>50. The Committee urges the State party to take all necessary measures to effectively implement Act No. 11.942 of 2009 and improve the conditions for children incarcerated with their mothers, including by increasing human, technical and financial resources allocated to female prisons, with a view to expeditiously ending overcrowding and guaranteeing access to adequate sanitation, health services as well as education and recreational activities for these children.</p> <p>F. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33)</p> <p>Children with disabilities</p> <p>51. The Committee welcomes the adoption of the National Policy on Special Education from the perspective of Inclusive Education in 2008. However, the Committee is concerned about the continuation of segregated special education for children with disabilities in several states, including in São Paulo, Minas Gerais, and Paraná, as well as through the establishment of additional special schools, pursuant to goal number 4 of the State party's National Education Plan, which perpetuate segregated education for children with disabilities. Furthermore, the Committee is concerned about:</p> <p>(a) The widespread sexual violence, abuse and exploitation of children with disabilities, particularly girls, inter alia, in institutional settings; the insufficient support services accessible for children with disabilities who are victims of violence, as well as the</p>
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		<p>difficulties in access to recourse as their statements are often disregarded due to widespread presumptions that they lack credibility;</p> <p>(b) Act No. 9263/1996 which permits the sterilization of children with disabilities without their free and informed consent as noted by the Committee on the Rights of Persons with Disabilities (CRPD/C/BRA/CO/1, para. 34);</p> <p>(c) The difficulties in obtaining medical examinations for children with disabilities which are often a prerequisite for access to medical care or support measures;</p> <p>(d) Social isolation of children with disabilities, particularly in rural and remote areas; and,</p> <p>(e) The lack of disaggregated data on the abuse and neglect of children with disabilities.</p> <p>52. In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability and take all measures to end special education systems in all states and conduct awareness raising initiatives targeting politicians, teachers and parents on the benefits of inclusive education. In this regard, the Committee recommends that the State party train and employ sufficient specialized teachers and professionals in integrated classes providing individual support and all necessary attention to children with learning difficulties. The Committee further recommends that the State party:</p> <p>(a) Promptly investigate cases of violence against and abuse of children, inter alia, in institutions and ensure support services for the victims;</p> <p>(b) Establish a child-friendly complaint mechanism, accessible to children with different types of disabilities and guarantee that police and other law enforcement agencies duly take into account complaints filed by children with disabilities;</p> <p>(c) Immediately revise Law No. 9263/1996 and explicitly prohibit the sterilization of children with disabilities;</p> <p>(d) Ensure access to medical care and support measures for all children with disabilities and facilitate the obtaining of medical examinations;</p> <p>(e) Undertake awareness-raising campaigns targeting government officials, the public</p>
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		<p>and families to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of these children; and,</p> <p>(f) Review the data collection system on children's rights violations (SIPIA-CT) with a view to ensuring the gathering of comprehensive data on the abuse of neglect of children with disabilities.</p> <p>Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</p> <p>Asylum-seeking and refugee children</p> <p>77. The Committee notes as positive the efforts of the State party to accept refugees, including from Syria. However, the Committee is concerned about the absence of a prioritized registration procedure for asylum cases involving children, which results in cases of unaccompanied children remaining undocumented for long periods of time. The Committee is also concerned about the lack of an overall policy for addressing the rights of migrants, including irregular migrants.</p> <p>78. The Committee recommends that the State party adopt special procedures to register unaccompanied children and ensure that the refugee status determination procedures comply with international protection standards for unaccompanied children. In this regard, the Committee recommends that the State party provide unaccompanied children with legal representation and assistance through all stages of this process. The Committee also recommends that the State party expeditiously adopt the Statelessness Bill it has pending at its legislature and establish a human-rights compliant overall framework for ensuring the rights of migrants, including irregular migrants.</p> <p>Children in street situations</p> <p>83. The Committee is deeply concerned about the large number of children in street situations who are highly vulnerable to extra-judicial killings, torture, enforced disappearances, recruitment by gangs, drug and substance abuse, and sexual exploitation. In this regard the Committee also notes with concern:</p>
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		<p>(a) Reports of children in street situations being taken to police stations, under unfounded suspicions, and arbitrarily placed in young offenders institutions without the required judicial authorizations pursuant to the Statute of the Child and Adolescent;</p> <p>(b) Police operations, including the <i>Choque de Ordem</i> (Shock of Order) operation, resulting in the eviction of children in street situations as well as the confiscation of their belongings; and</p> <p>(c) Increased police repression and physical violence against child street vendors in the course of “street clean-ups”.</p> <p>The Committee urges the State party to:</p> <p>(a) Expediently enforce, including through legislation, monitoring and sanctions of perpetrators, a prohibition on the arbitrary arrest of children in street situations and their institutionalisation without judicial authorization;</p> <p>(b) Increase the availability of appropriate shelters for children in street situations and ensure that their belongings are not arbitrarily confiscated by law enforcement or security personnel;</p> <p>(c) Establish a system of specialized social workers, particularly in tourist areas, to provide support to child street vendors and monitor police violence;</p> <p>(d) Develop a comprehensive strategy to protect children in street situations and reduce their number, including identifying the underlying causes, such as poverty, family violence, and the lack of access to education, with the aim of preventing and reducing this phenomenon; and, as appropriate, facilitate the reunification of such children with their families when in their best interests; and,</p> <p>(e) Collaborate with civil society organisations and NGOs working with children in street situations when developing this strategy.</p> <p>Sale, trafficking and abduction</p>
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		Country Report
		CRC/C/BGD/5

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OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	27 January 2004	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
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ICCPR	Accession Date	Care-Related Concluding Observations
	24 January 1992	
ICESCR	Accession Date	Care-Related Concluding Observations
	24 January 1992	
CEDAW	Ratification Date	Care-Related Concluding Observations
	1 February 1984	
UPR	Date of Consideration	Link to Page
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Hague Intercountry Adoption	Accession Date	Link to Country Profile
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Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review