

UN CRC	Accession Date	Care-Related Concluding Observations
	6 Nov 1995	CRC/C/TON/CO/1 2 July 2019
		https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTON%2fCO%2f1⟪=en
		III. Main areas of concern and recommendations
		D. Civil rights and freedoms (arts. 7, 8 and 13–17)
		Birth registration and nationality
		29. The Committee welcomes the high rate of birth registration coverage in the State party. However, it is concerned that:
		(a) Children who are subject to customary adoption immediately after birth and children living on the outer islands are at risk of not being registered;
		E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)
		Corporal punishment
		31. The Committee is seriously concerned that, while corporal punishment is prohibited in schools and penal institutions, it is still lawful in the home and in alternative and daycare settings, and that whipping is used as a judicial corporal punishment for a crime.



Country Care Review: Tonga

- 32. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to:
 - (a) Explicitly prohibit corporal punishment in law and in practice in all settings and repeal the right to administer judicial corporal punishment for a crime;
 - (b) Strengthen teacher training on alternative, non-violent forms of discipline and ensure it is part of pre-service and in-service training programmes;
 - (c) Provide programmes for parents and all professionals that work with and for children to encourage the use of alternative, non-violent forms of discipline;
 - (d) Effectively enforce the prohibition against corporal punishment in schools and penal institutions and provide children with a complaints mechanism, especially in schools, so that they can safely and confidentially report teachers and others that continue to use corporal punishment;
 - (e) Strengthen awareness-raising programmes, training and other activities to promote attitudinal change, in particular in schools, within the family and at the community level, with regard to corporal punishment.

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

Family environment

- 37. The Committee is concerned that there is no formal social welfare service in the State party and no parenting programmes that would encourage both parents to have a more active role in the family. It is also concerned at the low number of day-care centres nationwide.
- 38. The Committee recommends that the State party establish a network of services for children and a functioning social welfare service, and that it provide more support for and strengthen partnership with non-governmental organizations that provide day-care services. The Committee also recommends that the State party raise awareness on parental responsibilities.

Children deprived of a family environment



Country Care Review: Tonga

39. The Committee notes the care children receive from the extended family. However it is concerned that: (a) There are no alternative care options, such as foster care, available in cases where the extended family does not take care of children; (b) There is no legal framework, policy or set of minimum standards in place regulating the alternative care of children and no support is provided for children placed with the extended family.
40. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the
Committee recommends that the State party: (a) Set up a formal alternative care system, develop an alternative care policy and minimum standards for regulating alternative care for children and take children's views into consideration when making any decisions about alternative care;
(b) Provide all necessary resources, social welfare services and support for children in kinship or extended family care;
(c) Establish a legal framework, a policy and a set of minimum standards for supporting and monitoring family-based care for children.
Adoption
41. The Committee notes that most adoptions in the State party occur through customary practices and that the State party is developing a draft adoption law. It is concerned, however, that there is currently no comprehensive adoption law in the State party and that there are no proper guidelines for the adoption process.
42. The Committee recommends that the State party: (a) Enact the draft adoption law, formalize guidelines for the adoption process and establish an
adequately resourced unit to oversee the formal adoption process; (b) Increase awareness of formal adoption at the community level and promote and encourage
formal domestic adoptions; (c) Establish mechanisms to register, regulate and monitor adoptions;



(d) Consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.
Children of imprisoned parents
43. The Committee is concerned about the situation of children of imprisoned parents or of mothers facing imprisonment, including with respect to the lack of childcare services.
44. The Committee recommends that the State party:
(a) Ensure that living conditions for children in prison with their mothers, including access to health and early childhood development services, are adequate for the child's physical, mental, moral and social development;
(b) Seek alternative measures to the imprisonment of pregnant women and mothers with small children, wherever possible, ensuring that the best interests of the child are carefully and independently considered by competent child professionals prior to sentencing pregnant women and mothers with small children and during the stay of children with their detained mothers.
G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)
Mental health
49. The Committee is concerned at the high rates of suicidal thoughts and behaviour among adolescents. It is also concerned that children aged 17 or above with intellectual, psychosocial and behavioural problems can be placed in wards together with adults.
50. Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:
(c) Ensure that community-based mental health services, including specialized counselling, are readily available and are used as an alternative to institutionalizing children with intellectual,



		psychosocial and behavioural problems, and take all the necessary steps to ensure children are not placed together with adults in mental health facilities.
		Country Report
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		23 July 2018
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OPAC to CRC	Ratification Date	Care-Related Concluding Observations
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ICCPR	Ratification Date	Care-Related Concluding Observations
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Hague Intercountry	Ratification	Link to Country Profile
Adoption	Date	
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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
ICCRP 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