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The meeting was called to order at 10.05 a.m.

Consideration of reports of States parties (continued)

Combined second and third periodic reports of Saint Vincent and the Grenadines (continued) (CRC/C/VCT/2-3; CRC/C/VCT/Q/2-3 and Add.1)

1. At the invitation of the Chair, the delegation of Saint Vincent and the Grenadines took places at the Committee table.

2. Ms. Finch-Burke (Saint Vincent and the Grenadines) said that youth organizations were heavily involved in the public policy development process. A youth parliament programme was to be launched in 2017 to facilitate youth participation in policymaking, and children’s conferences were held several times a year at which the voices of youth were heard. Four such conferences had been held in 2016, and the views expressed at them had helped to inform the development of the National Policy Framework for Child Protection. Schoolchildren had been interviewed as part of the policy formulation process to ascertain what programmes should be developed for them in the school system. Children were free to express their religious beliefs in schools and elsewhere. The media participated actively in protecting children’s rights, including through radio and television spots that allowed members of the National Child Rights Committee and others involved in children’s rights to provide information to the public.

3. With regard to dissemination of the Convention and training on children’s rights for the “duty bearers” responsible for the protection of children within the child protection system, training was provided on all facets of child protection, including children’s rights, the child protection system, procedures for mandatory reporting of suspected child abuse and the best interests of the child. Parenting programmes focused on the rights of children and on specific parenting problems and how to deal with them. The National Policy Framework for Child Protection listed all NGOs and government agencies associated with the child protection system, all of which took part in the planning, execution and monitoring of child protection activities.

4. The school curriculum included a health and family life component, in which instruction was offered on sexual and reproductive health, child abuse and domestic violence, and social and life skills, among other topics. The Child Care and Adoption Act focused on the best interests of the child in general, not just on the child’s welfare. The child’s best interests must be taken into consideration in respect of all facets of the child’s life, including education, placement in a care setting and care plans. By law, the opinions of the child must be taken into account in any decision relating to his or her placement in a care setting, whether temporary or permanent. Both children and adults could lodge complaints of police brutality and forced confessions with a special complaints unit. All complaints were investigated, and legal action was taken against the perpetrator if grounds for prosecution were found. Remedies for victims included referral to specialized social services for counselling, psychotherapy or other support.

5. Mr. Rodríguez Reyes asked whether the parenting programmes took account of the diversity of families in the State party, including single-parent families and families headed by grandmothers.

6. Ms. Sandberg, welcoming the inclusion of a broader concept of the best interests of the child in the Child Care and Adoption Act, enquired whether older laws would be amended to include that concept or whether they would be superseded in some way by the Child Care and Adoption Act.

7. Mr. Cardona Llorens said that he would like information on the number of complaints of police brutality submitted and the outcomes of those cases.
8. **Ms. Finch-Burke** (Saint Vincent and the Grenadines) said that the parenting programme followed the manual produced by Parenting Partners Caribbean in collaboration with the United Nations Children’s Fund (UNICEF) country office in Jamaica. The manual did indeed take account of the diversity of family structure in the Caribbean context and addressed the various problems that might arise in connection with various types of families and parenting roles. The Government and the UNICEF Office for the Eastern Caribbean Area had undertaken a joint legal assessment prior to the adoption of the Child Care and Adoption Act in order to identify gaps in existing legislation. That assessment would serve as the basis for a legislative harmonization process to be carried out in 2017 with a view to identifying inconsistencies between the Act and earlier laws. Recommended amendments would be submitted to Cabinet for consideration and would then go to Parliament for approval. She did not have data on policy brutality cases, but would endeavour to see that the requested information was forwarded to the Committee at a later date.

9. Turning to other questions asked during the previous meeting, she said that mothers could claim maintenance for children of any age in the courts. Under the Status of Children Act, no distinction was made between children born in and out of wedlock. In setting maintenance amounts, the family court took into consideration various factors, including the funds available to the father to pay child maintenance and the age of the child; the amount set might be higher in the case of older children who were enrolled in school, as the expenditures for such children would normally be higher than for very young children. Saint Vincent and the Grenadines had not adopted the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. However, under a Caribbean Community agreement, child maintenance could be recovered from a parent residing within the Caribbean region. To date, there had been no study of the impact of parental emigration on children. Social services were provided free of charge and were available to all young mothers. Assistance was currently being provided to 1,695 single-parent households. Assistance was also provided to grandparents; statistics on such assistance could be forwarded to the Committee at a later time.

10. There were currently no helplines for children, but the Government intended to begin negotiations with the relevant private-sector entities in 2017 in order to make that service available. Specialized health services, including polyclinics and hospitals, were available in the Grenadines. She could not provide figures on breastfeeding prevalence because the figures available from the Ministry of Health were derived from surveys conducted at health centres and were not considered verifiable.

11. With regard to reproductive health counselling in schools, the Government had a policy that took into consideration the use of contraceptives. The Ministry of Health, in collaboration with Planned Parenthood, offered a parenting programme for teenage parents. There was also a school re-entry programme for teenage mothers, which provided all necessary social support, including day-care services paid for by the State. After-school tutoring programmes were available to enable teenage mothers to catch up in their studies and thus be better prepared to enter the job market or pursue higher education. As a result, 50 per cent more teenage mothers had passed their school-leaving exams and 25 per cent more had moved on to tertiary-level education.

12. The Education Act of 2006 had been replaced by the Education Act of 2009, which covered all forms of disability. The Government paid the cost of inclusive education for children with disabilities. With regard to the question on discrimination against children with disabilities under the Immigration Restriction Act, the latter would be amended as part of the legislative harmonization process in order to bring it into line with both the Convention and the new Child Care and Adoption Act.

13. **Ms. Aho Assouma**, noting the high rate of births to teenage mothers in the State party, said that she wished to know what programmes were in place to prevent teenage
pregnancies among adolescents. The Committee had been informed that nurses in policlinics sometimes refused to give oral contraceptives to adolescent girls because they believed they were too young to be sexually active. She asked what was being done to change such attitudes and whether parents were informed when their children sought to obtain contraceptives. She would also like to know what was being done to prevent clandestine abortions; she understood that medical termination of pregnancy was permitted in certain circumstances, but that the procedure was very expensive. What was done to help adolescents who could not afford to pay for the procedure? In the previous meeting, the delegation had stated that poverty accounted for many cases of sexual abuse. Did that mean that it was poverty that prompted parents to commit incest? She found that hard to believe.

14. Mr. Cardona Llorens asked whether the reference to physical disability had been removed from the new Education Act. If not, the law might be construed as permitting discrimination against children with other forms of disabilities. He was still in doubt as to whether the State party intended to adopt a policy of inclusive education for all children with disabilities, irrespective of the type of disability, and would appreciate clarification in that regard.

15. Ms. Finch Burke (Saint Vincent and the Grenadines) said that the statistics on births to teenage mothers included births to girls and women between the ages of 12 and 19 years. Fifty per cent of those births were to women aged 18 or 19 years. Several programmes were available to assist teenage mothers. The “Teen Mothers Returning to School” programme had helped between 74 and 95 girls to re-enrol in school each year. In some cases, girls who were nearing their eighteenth birthday might opt to enrol in adult education or pursue vocational training rather than return to secondary school. In all cases, the Government covered the cost of education or training for teenage mothers. The Ministry of Health was working with Planned Parenthood to prevent teenage pregnancies, including by ensuring access to contraceptives. It was true that some nurses remained resistant to contraceptive use by adolescents. By involving nurses in family planning and parenting programmes for adolescents, the Government hoped gradually to bring about a change in their attitudes, although it was aware that such changes took time.

16. Abortion remained illegal, and she was unaware of any State initiatives to legalize it. The Government had been working to ensure that adolescents had access to contraceptives as a means of avoiding abortions. It had also sought to engage parents in the effort to prevent teenage pregnancies, including by involving them in programmes for teenage parents.

17. The Education Act of 2009 did not allow discrimination on the basis of any form of disability, as such discrimination would be contrary to the Child Care and Adoption Act. While the Government might not have adopted inclusion measures in the area of education, it had promoted integration measures. It recognized that integration was not the same as inclusion, but in a context of limited resources, integration measures had enabled it to quickly mainstream children with disabilities within the education system. Inclusion was much more costly and would take longer to accomplish. In the meantime, the Government would continue pushing for greater integration of students with disabilities.

18. Ms. Aldoseri, noting that corporal punishment was still allowed in schools in some cases, asked whether the State party intended to prohibit the practice altogether.

19. Ms. Finch-Burke (Saint Vincent and the Grenadines) said that discussions on corporal punishment held at the community level had revealed that parents continued to support its use in homes and also, to some extent, in schools. Children had also been consulted, and some had said that corporal punishment should be banned, while others had said it should continue to be allowed. The opinions expressed in those community consultations would be taken into account in the legislative harmonization process.
Corporal punishment in juvenile justice institutions would most likely be banned under the new child justice law, which would emphasize restorative practices and diversion programmes.

20. **The Chair** asked whether the position of lawmakers on the issue would be informed only by the community consultations. Would other considerations also be taken into account, such as the fact that Saint Vincent and the Grenadines was a party to the Convention?

21. **Ms. Sandberg** said that it was important for the State party to enact legislation prohibiting corporal punishment, which was an obligation under the Convention. She understood that it was difficult to change societal attitudes on the issue, but it would be even harder in the absence of legislation that banned all forms of corporal punishment in all settings.

22. **Mr. Rodríguez Reyes** said he understood that in 2015 the State party had launched a food and nutrition security plan in collaboration with the Food and Agriculture Organization of the United Nations (FAO). He wondered whether that plan included specific policies concerning children. He also wished to know whether the State party had public or social policies aimed at the most vulnerable children living in poverty. Lastly, he would like to know whether the State party had a plan to address childhood obesity.

23. **Ms. Oviedo Fierro** said that it would be interesting to know whether any efforts were being made to encourage teachers to change their attitudes towards the use of corporal punishment in schools. For example, were non-violent approaches to education and to child-rearing being promoted?

24. **Ms. Aho Assouma** asked whether the State party was taking any steps to reduce the cost of the medical termination of pregnancy in cases of rape or incest. She would also like information on rates of HIV infection among pregnant women. In addition, she wondered whether the State party had plans to protect access to drinking water in the face of climate change.

25. **Ms. Finch-Burke** (Saint Vincent and the Grenadines) said that there were policies for children under the food and nutrition security plan. Indeed, children and children’s rights were priorities, both under the plan and under the national Zero Hunger Trust Fund. The needs of vulnerable children were being addressed through a coordinated government effort. The Ministry of Health was carrying out a comprehensive programme to combat childhood obesity through clinical interventions and through programmes offered in schools as part of the Health and Family Life Education initiative. It was also working to improve the quality of foods sold and served in schools.

26. As to what was being done to foster a different attitude towards corporal punishment in schools, all teachers received instruction in alternative disciplinary methods. Alternative methods were also included in the parenting programme manual, and spot-checks were conducted in the homes of parents participating in the programme. With regard to the cost of medical terminations of pregnancy, the hospital would claim reimbursement from the Government if a patient could not afford to pay, as in the case of any other medical service. Action to address the effects of climate change, particularly among vulnerable populations, was envisaged under the Government’s social protection initiative. It was working with families and communities to strengthen disaster preparedness and response capacity and reduce vulnerability. Children were involved in those efforts.

27. Responding to additional questions raised in the previous meeting, she said that the Government had expanded its tertiary education scholarship programme by 120 per cent since mid-2015, increasing the number of scholarships from 16 to more than 30 and raising tuition assistance to students from vulnerable communities by over 150 per cent. Access to
employment had been increased through the Supportive Education and Training Programme, which provided on-the-job training to enable recent graduates to gain work experience, which was a prerequisite for most jobs. In addition, each year over 250 young people from vulnerable communities participated in a government-sponsored training programme that prepared them for entry into the labour market. Participants acquired foreign language and information technology skills and were able to fulfil the requirements for certification in various occupations. Completion of secondary school was not a requirement for participation in the programme.

28. The age at which the death penalty could be imposed would be raised from 16 to 18 years as part of the legislative harmonization process. Under the current law, 16 and 17 year-olds could be tried as adults if they were charged with a serious offence and if charges were simultaneously laid against an adult for the same offence. Under the pending Child Justice Bill, however, no child of any age could be tried as an adult. The Child Justice Bill defined juveniles as persons between 12 and 18 years of age. It was hoped that it would be enacted before the end of 2017.

29. With regard to restorative practices, a pilot programme currently under way would inform the new child justice legislation. A new rehabilitation centre, set to open in February 2017, would use a wide array of restorative practices, including cognitive behavioural therapy, aggression replacement training and conferencing. Regional training had been offered with a view to promoting the use of similar practices in all the countries of the Eastern Caribbean region. Staffing had been increased in order to provide services separately for children in conflict with the law. Non-court diversion programmes and school-based prevention programmes targeted children considered to be at risk of coming into conflict with the law. The families of all children placed in restorative justice programmes received support from social services. Reintegration was a key component of such programmes. Accordingly, after being in conflict with the law, children transitioned into the social services and child protection system, where they received ongoing support in order to address any behavioural or other issues, such as abuse, that might lead them to come into conflict with the law again.

30. Mr. Cardona Llorens, returning to the question of education and access to employment, said he wished to know what was being done to improve the quality of secondary education, which appeared to be failing to prepare students properly for entry to the workforce. It appeared that, under the current juvenile justice law, children who had not committed any offence could be deprived of their liberty simply because they had some behavioural problem or were deemed to be at risk of coming into conflict with the law. Was that true? As he understood it, that practice would be discontinued under the new child justice law and such children would instead be referred to school-based programmes. Had he understood correctly? He also wished to know whether children under the age of 18 who were in conflict with the law were detained separately from adults and whether they were held separately in facilities that also housed children who had been removed from their families as a protective measure. Lastly, he asked whether a child could be sentenced to prison for life or for an indefinite period.

31. Ms. Ayoubi Idrissi said that, as she understood it, the new child justice law, once adopted, would prohibit the detention of children together with adults. In the meantime, might it be possible to place children in a separate section of facilities where they were held with adults or at least to isolate them at night?

32. Mr. Rodríguez Reyes enquired whether the State party had a public policy aimed at reducing and preventing the use of psychotropic substances, including alcohol and tobacco, among young people.

*The meeting was suspended at 11.25 a.m. and resumed at 11.35 a.m.*
33. Ms. Finch-Burke (Saint Vincent and the Grenadines) said that, in order to improve the quality of secondary education and remedy high dropout rates and poor academic performance, the Ministry of Education was working in partnership with the Caribbean Examinations Council, and in 2016 had introduced a qualitative toolkit to enhance the capacity of teachers and establish quality assurance standards. Under the new system, children were assessed not only at the end of a subject period but during it, and were studying components that were more practical than theoretical. Efforts were being focused on the type and content of subjects, literacy, and information and communications technology, among other aspects. Educational services were also being strengthened at primary level in order to ensure continuity. A comparative evaluation would be conducted in two to three years to assess the impact of the reforms on the student population. In response to an earlier question, she said that, although human rights education was not yet part of the curriculum, the possibility of introducing a rights awareness programme could be considered.

34. Since the reform of the juvenile justice system had begun in 2012, the process of separating juvenile detainees from adults had got under way and a new rehabilitation centre specifically for children up to the age of 18 had been constructed. The proposed Child Justice Bill provided that, regardless of the type of offence, the maximum period of detention applicable to juvenile offenders was 2.5 years, during which time detainees had the right to access education and social and therapeutic support. It had been decided not to wait until the law was officially enacted to begin implementing the changes, and the sitting president of the court could thus already use his or her discretionary powers to order the new measures. Under the new system, juvenile offenders could not be sentenced to life imprisonment or indefinite prison terms. Even though the existing law had yet to be repealed, the new measures had been applied in the recent case of a 12-year-old girl found guilty of murder. The programmes being piloted in the national rehabilitation centre and in schools were based on risk levels; the former dealt with high-risk cases while the latter dealt with low-risk cases. School counsellors received training on the new programme and approach. Additional human resources had also been approved and would be trained accordingly. There was also a focus on prevention in the school system, aiming to ensure early screening and intervention, for example through the “Sixteen Now” campaign, to prevent the escalation of criminal activity among low-risk students. The campaign also included a parenting component.

35. Replying to the questions on foster care and children’s institutions, she said that new legislation had been adopted and the care system had been reformed in 2014. Group homes were now known as “in-transit care centres”, of which there were five nationwide. There were specific centres for children with disabilities, children up to the age of 11 years, and boys and girls aged 12 to 18 years. Children were automatically placed in an in-transit care centre following the issuance of court orders for emergency removal pending investigation of alleged child abuse. The maximum stay in an in-transit care centre was three months. All staff in childcare institutions had received full training on the applicable procedures and minimum standards. Once a care order had been requested through the courts, a care plan was drawn up by the Child Protection Unit, stipulating the type of placement and proposed treatment, support and care options. Foster homes were governed by particular standards and monitored by child protection officers. All court staff were trained on the care options available for children. When it came to children who required care placements but were also displaying behavioural problems and thus might benefit from diversion programmes, the courts were advised by probation services on how to draw up the child’s care plan. With a view to the eventual reintegration of the child into his or her family, parents were granted contact on a case-by-case basis, provided such contact would not do the child more harm than good; parents also received social and therapeutic support while their children were in care. In addition to foster care, there were also kinship care programmes, financed by the
State, under which the courts could grant custody to biological relatives. Parenting programmes were run for foster parents and parents of children in in-transit care centres; some 60 parents were enrolled in such programmes. Children in care had access to a free complaints mechanism, and their complaints were registered in an electronic database. Complaints could be lodged in relation to any aspect of the care system, including staff, food and lack of contact with parents. The number of social workers had been increased in order to facilitate the monitoring of the care system. There were currently some 150 children in individual foster homes and an average of 75 children at any given time in in-transit care centres.

36. **Ms. Sandberg** asked whether she was correct in thinking that there were no longer any permanent children’s institutions, but only foster homes and in-transit care centres.

37. **Ms. Ayoubi Idrissi** said that she would welcome clarification of the circumstances in which a judge might impose a sentence of an indeterminate period of detention.

38. **Ms. Finch-Burke** (Saint Vincent and the Grenadines) said that placement in an in-transit care centre was a temporary measure, and long-term institutional care was considered a last resort; preference was given to foster or kinship care. With regard to the sentencing of juvenile offenders, there was already consensus on the new Child Justice Bill and the final draft was almost complete; pending its enactment, judges had already stopped exercising their discretionary powers to impose indeterminate sentences. However, there remained a gap, as under the existing law children over the age of 16 years continued to be tried as adults for serious offences, such as murder. However, once the new Bill was passed, the old Juvenile Justice Act would be repealed, and all children up to the age of 18 years and all offences would be subject to the maximum sentence of 2.5 years.

39. In-country and inter-country adoptions were permitted under new legislation, and were conducted in accordance with separate regulatory procedures, overseen by the Adoption Board. There was an electronic database of all adoptions; there had been no adoptions in 2014, four in 2015 and seven in 2016. There was expected to be a higher number of adoptions in 2017, as the new adoption process had been introduced only in 2016. For inter-country adoptions, the Adoption Board worked only with State-recognized adoption agencies in a given country. In order to reduce the risk of exploitation and sale of children, the Board monitored the situation regularly for one year after the adoption, and follow-up was then carried out by child protection services in the country of adoption. The criminal provisions on the illicit transfer of children had been identified in the legal audit of existing laws on children, and would be harmonized in 2017.

40. The State party’s drug prevention policy was implemented in partnership with the police, and a drug abuse awareness programme was offered in all primary and secondary schools. Rehabilitation services were provided through an NGO in partnership with the authorities. Diversion programmes also addressed the problem of drug abuse.

41. The provision of the 2006 Education Act stipulating that access to education was “subject to available resources” had been amended in 2009 and all children had universal access to primary and secondary education. Support from social services in the form of free meals, transport, uniforms, books and other school supplies was provided to some 1,500 children living under the poverty line; the children were identified by the Ministry of Education via individual schools, and payments were made directly to the schools. Beneficiaries’ school attendance and performance was monitored; in the event of non-attendance or underperformance, payments were put on hold while the situation was investigated. If it was ascertained that the child had a learning difficulty, the relevant authorities were informed. Students had the option of pursuing vocational training either at the secondary level, from the age of 14 years, or following completion of secondary education. Changes had been made to educational curricula, including for history and
performing arts, to better reflect the Caribbean context and cultural diversity. Sex education, which covered sexual and reproductive health, contraception and HIV/AIDS, was on the curriculum as part of the health and family life programme, and was provided in partnership with NGOs. The problem remained that, despite increased awareness of contraceptives, many adolescents engaged in sexual relations were unwilling to use them. Children had participated actively in the preparation of the State party report, through consultations at the national, community and school levels. Children’s views were also used as the basis for formulating policy.

42. The country had a dedicated anti-trafficking police unit, and protection measures were in place for victims of trafficking, who were identified through a special reporting procedure. Adult and child victims were taken into care at the expense of the State. There were no specific procedures to monitor private foreign companies with respect to trafficking, but generic procedures applied. All asylum requests made through the Ministry of National Security were documented, and the applicants were closely monitored. Information on street children was provided in paragraphs 15 to 18 of the replies to the list of issues. The reduction in the number of street children was due to the introduction of a new child protection system and enhanced monitoring; the authorities were alerted to the absence of any child enrolled in any educational institution, an investigation was conducted to ascertain the reasons for non-attendance, and special measures were taken to provide support to families — in the form of conditional cash transfers or employment support — and ensure the child’s return to school. The amended Education Act provided for truancy officers. With regard to child labour, the minimum employment age would be brought into line with the Convention as part of the legislative harmonization plans for 2017. Children were often engaged in farming to help their parents and not as paid employment. With regard to the protection of witnesses and victims, in order to avoid intimidation or revictimization, children could give their testimony separately, in in-camera court proceedings.

43. Ms. Khazova said that she wished to know whether judges were involved in decision-making in adoption cases and cases of suspected child abuse where a child was removed from the home by emergency order. She requested clarification of the articles of the Criminal Code that dealt with the illicit transfer of girls specifically and children in general. She enquired about the procedures in place for direct adoptions.

44. Ms. Ayoubi Idrissi said that she would be interested to hear about non-refoulement provisions for foreign victims of trafficking. She asked whether there were any plans to prohibit the employment of children under the age of 18 years in dangerous occupations, and whether there was a list of such occupations.

45. Ms. Sandberg, referring to in-camera proceedings for victims and witnesses, said that she would be interested to know whether children had to give their testimonies in court while the trial was going on or whether there was the possibility of pre-recording their statements. She asked whether the number of social workers in the State party was sufficient to cover children’s needs.

46. Mr. Cardona Llorens said that he would welcome information on whether juvenile judges had specialized training in juvenile justice. The delegation might comment on protection measures for victims and witnesses on the smaller islands. He would be interested to hear of any plans to regulate the conduct of foreign companies operating in the State party, particularly in the tourism sector, to ensure that they did not violate children’s rights.

47. Ms. Finch-Burke (Saint Vincent and the Grenadines) said that, in adoption cases, judges took decisions after taking into consideration the recommendations of the Adoption Board, which would have carried out a thorough screening of the prospective adoptive
parents. The same applied for direct adoptions. The best interests of the child were paramount. Similarly, in the case of suspected child abuse, the sitting magistrate issued a removal order based on the results of the preliminary inquiry. Concerning trafficking, there was provision for non-refoulement of foreign victims to their country of origin. In-camera court proceedings were normally pre-recorded before the case was heard so the child was not present during the trial. The same procedures applied for children on the smaller islands, which had their own social workers. Given the high demand, there was a need for additional social workers; a holistic institutional assessment would be conducted in 2017 to determine the ratio required and the budgetary implications. A plan of action for training more social workers would then be prepared on that basis. The minimum standards for child protection in different settings could be adapted to apply to the tourism sector.

48. Mr. Cardona Llorens (Country Rapporteur) thanked the delegation for the constructive dialogue with the Committee, particularly as it had been 15 years since the previous review. The Committee had noted a number of promising developments in recent years, but was still concerned about several issues, such as the minimum marriage age, lesbian, gay, bisexual and transgender rights, corporal punishment and the situation of children with disabilities.

49. Mr. Stephenson (Saint Vincent and the Grenadines) said that his country had made great progress in complying with its obligations under the Convention and its optional protocols, and the Committee’s suggestions would help it to build on that progress. In closing, he wished to acknowledge the important work being done by UNICEF and other supportive partners in the country.

50. The Chair thanked the delegation for its responses and said that the Committee was gratified that its concluding observations would receive the necessary attention.

The meeting rose at 1 p.m.