

COMMITTEE ON THE RIGHTS OF THE CHILD  
Thirty-ninth session  
Pre-Sessional Working Group  
31 January- 4 February 2005

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the third periodic report of Costa Rica CRC/C/125/Add.4

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 6 April 2005.

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban and rural areas) covering the years 2002 and 2003 and 2004 on the:

- a) number and proportion of children under 18 living in the State party;
- b) number and proportion of children belonging to indigenous, ethnic groups, refugees and migrants.

2. In light of article 4 of the Convention, please provide additional disaggregated data for the years 2003, 2004 and 2005, on budget allocations and trends (in absolute figures and in percentages of the national and regional budgets or GDP) allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:

- a) education (different types of education, i.e. pre-primary, primary and secondary education);
- b) health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children);
- c) programmes and services for children with disabilities;
- d) support programmes for families and social services for family reinsertion;

- e) support for children living below the poverty line;
- f) the protection of children who are in need of alternative care including the support of care institutions;
- g) the central authority on intercountry adoption;
- h) programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour;
- i) programmes and services for street children and abandoned children;
- j) juvenile justice and alternative measures to deprivation of liberty.

Please also indicate the expenses of the private sector, in particular for health and education.

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age, indigenous and ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children :

- i. separated from their parents due to immigration for economic reasons;
- ii. separated from their parents due to other reasons;
- iii. placed in institutions;
- iv. placed with foster families;
- v. adopted domestically or through intercountry adoption including those adopted through agreement between biological and adoptive parents; the recipient countries of intercountry adoptions and the number of intercountry adoptions;
- vi. the number of children living with parents deprived of liberty and
- vii. the number of street children.

4. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban or rural areas) covering the period 2002, 2003 and 2004 on the:

- a. number and percentage of children with disabilities;
- b. number of children with disabilities either taken care of in the family or living in institutions;
- c. number of children with disabilities being enrolled in regular education, how many benefit from the special education system and how many are not in school; and
- d. facilities and services available for children with disabilities.

5. With reference to child abuse, please provide disaggregated data (by age, gender and types of violations reported) over the years 2002, 2003 and 2004 on the:

- a. number of individual complaints received per year in the last three years;
- b. number and percentage of reports which have resulted in either a court decision or other types of follow-up; and
- c. programmes and activities to sensitize the parents and the public in general concerning child abuse.

6. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban and rural areas) covering the years 2002, 2003 and 2004 in percentage of the relevant age group on the:

- i. enrolment in percentage of children in primary and secondary schools;
- ii. percentage of children completing primary and secondary education;
- iii. number and percentage of drop-outs and repetition rate;
- iv. ratio teacher per children and number of children per class;
- v. number of children who attend pre-school education.

7. Please provide updated disaggregated statistical data (including by gender, age groups, indigenous and minority groups, urban, rural and remote areas) on:

- a. adolescent health, including early pregnancy and sexually transmitted infections (STIs);
- b. children affected or infected by HIV/AIDS;
- c. rates of infant and child mortality;
- d. rates of immunization;
- e. drug and alcohol abuse;

8. Please provide disaggregated for the last three years (2002-2004)(including by gender, age, indigenous and minority groups, and type of crime) on:

- a. number of persons below 18 who allegedly committed a crime reported to the police;
- b. number of persons below 18 who were sentenced and the nature of sanctions (community service; detention; other types of sanctions);
- c. the number of juveniles (under 18) detained and imprisoned, the location of their detention or imprisonment (e.g. police station, jail or other place) and the lengths of their detention or imprisonment, including pre-trial detention;
- d. number of persons below 18 detained in adult facilities;
- e. reported cases of abuse and maltreatment of persons below 18 occurred during their arrest and detention.

9. With reference to special protection measures, please provide statistical data (including by sex, age, indigenous and ethnic groups urban and remote areas) per year between 2002 and 2004 on the number of children:

- a. involved in domestic violence, including physical, sexual and psychological
- b. involved in sexual exploitation, including pornography, sale and trafficking and the number of those children who were provided access with recovery and reintegration treatments;
- c. involved in substance abuse and the number of those children who received recovery and reintegration treatments;
- d. involved in child labour (formal or informal sectors, including domestic work);

e. that have disappeared.

10. Please provide information on the number of judges specialized in the rights of children and adolescents and the number of judges specialized in juvenile justice.

### B. General Measures of Implementation

1. Please provide information on the reasons some of the recommendations contained in the Committee's previous observations (CRC/C/15/Add.117) have not yet been fully implemented, in particular the ones related to (i) the prohibition of torture (para. 18), (ii) child abuse and neglect (para. 20), children with disabilities (para. 23), and (iii) children belonging to minority and indigenous groups (para. 25).

2. Please provide updated information on action and measures taken to remedy the limited scope and impact of the Protection Boards (*Juntas de Protección*) and the Tutelary Committees.

3. Please provide information on the revision of the Criminal Code aiming at incorporating the prohibition and penalization of torture in domestic law.

4. Please provide information on cases, if any, where the Convention has been directly invoked in domestic courts.

5. Please provide updated information on mechanisms established to coordinate policies and programmes on children's rights, including services for children and measures to maintain family ties in the case of children placed in foster homes.

6. Please provide detailed information on how the State party sets priorities for budget allocations and what these priorities are. How are children's rights reflected in resource allocation?

7. Please further explain how the Office of the Ombudsman addresses child rights issues and indicate what specific mandate, human and financial resources this office has in this respect.

8. Please provide updated information on the programme "*De la mano*," which is being developed with the cooperation of UNICEF and UNDP, to educate parents on children's rights.

9. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention using human rights based approach.

10. Please provide information on the training of judges, prosecutors and other judicial personnel dealing with children and adolescents issues, as well as on the training of law enforcement personnel and local authorities.

## Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in other languages or dialects of the State party, when available. If possible, please submit these texts in electronic form

## Part III

Under this section, States parties are invited, whenever appropriate, to briefly (3 pages maximum) up-date the information provided in their report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects and their scope

## Part IV

The following is a preliminary list (that does not contain issues already covered in Part I) of major issues that the Committee intends to take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Definition of the child
2. Measures to strengthen the implementation of the general principles of the Convention: non discrimination (art. 2); the best interests of the child (art. 3); the right to life, survival and development (art. 6); and respect for the views of the child (art. 12)
3. Child poverty and disparities between the rural and urban areas
4. Freedom of association
5. Prohibition of corporal punishment
6. Child abuse and neglect

7. Domestic and intercountry adoptions
8. Children with disabilities
9. Quality of and accessibility to health services in particular in remote areas
10. Measures taken to address adolescent health concerns, including reproductive health, mental health and early pregnancies
11. Completion of primary education and access to quality education
12. Economic exploitation, including child workers
13. Sexual exploitation, including child pornography
14. Migrant children
15. Juvenile justice, including alternative forms of sanctions for children in conflict with the law
16. Ill-treatment of adolescents in detention
17. Indigenous children

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