

(Translated from Arabic)

COMMITTEE ON THE RIGHTS OF THE CHILD

**WRITTEN REPLIES BY THE GOVERNMENT OF THE LIBYAN ARAB
JAMAHIRIYA CONCERNING THE LIST OF ISSUES (CRC/C/Q/LYB/2)
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD
RELATING TO THE CONSIDERATION OF THE SECOND PERIODIC
REPORT OF THE LIBYAN ARAB JAMAHIRIYA (CRC/C/93/Add.1)**

[Received on 9 April 2003]

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PART I
A. Data and statistics

Question number	Reply	Comments
1	<p>According to the results of the 1995 general census, the proportion of the total population accounted for by minors under the age of 18 was 45.7 per cent. The following are the corresponding figures for the period 2000-2004:</p> <p>2000 - 45.8%</p> <p>2002 - 43.8%</p> <p>2004 - 42.1%</p> <p>These estimates refer to Libyans only.</p> <p>(<u>Source</u>: The National Organization for Information and Documentation)</p>	<p>The fall in these percentages can be explained by the decline in the population growth rate since 1991. The population growth rate currently stands at 2.85%.</p>

Question number	Reply	Comments
2a	<p>The allocations for development in 2002 amounted to 4,356 million Libyan dinars (LD). The allocations for the education sector were valued at LD 871.2 million, or 20 per cent of total development allocations. Of the allocation for education, LD 763.1 million were earmarked for pre-university education and training (basic and secondary education and vocational and technical training). As for the administrative budget, the allocations for education amounted to LD 971.3 million - representing 36.1 per cent of the State's total budgetary allocations for administration - of which 76.7 per cent was absorbed by wages and salaries and 23.3 per cent by operating costs.</p> <p>(Ibid.)</p>	<p>Article 5, paragraph 9, of General People's Committee decision No. 100 of 1998, concerning the establishment of the Higher Committee for Children, stipulates as follows: "Emphasis shall be placed on the incorporation of the requisite financial allocations for children in the different sectoral budgets and to ensuring their disbursement."</p> <p>The Higher Committee for Children is currently working, in conjunction with the General People's Committee for Finance, on the ways and means of implementing this article.</p>
2b	<p>The allocations for the health and social security sector from the development budget for the 2002 financial year were valued at LD 303.6 million, representing 10 per cent of the State's total budgetary allocations for development.</p> <p>The budgetary allocations for administration of this sector amounted to LD 224 million.</p> <p>(Ibid.)</p>	

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2 c, d, e	<p>Not enough information is available on the budget for these items. However, the money spent for children living in social institutions (children's welfare institutions, boys' and girls' welfare institutions, and educational homes for minors) comes out of the Social Security Fund budget.</p>	
3	<p>(a) Infant mortality rate: 24.4 per 1,000 live births Under 5 mortality rate: 30.1 per 1,000 live births</p> <p>(b) Proportion of children with low birth weight: 4.8%</p> <p>(c) Proportion of children affected by malnutrition: 13.5%</p> <p>(Mother and Child Health Survey, 1995.)</p>	<p>These figures will be updated by the Multiple Indicator Cluster Survey that is being conducted at the present time.</p>
4	<p>As yet, there is no database to monitor this type of information. The Higher Committee for Children, in cooperation with the General People's Committee, is setting up and implementing a child information database to collect data and information about all issues pertaining to childhood.</p>	<p>A Multiple Indicator Cluster Survey and a family survey are being carried out at the present time. They will provide some of the required information.</p>

Question number	Reply	Comments
5	<p>(a) According to our figures, a total of 14 children who have been separated from their parents as a result of divorce are living in social institutions.</p> <p>(b) Foundlings: There are a total of 460 foundlings living in social institutions (children's welfare homes and boys' and girls' welfare homes).</p> <p>(c) We have no statistics on children who are living with one parent only as a result of divorce. A total of 2,000 children are being cared for by families under the <u>kafalah</u> system. Some of them are taken from social institutions.</p> <p>As for the numbers of children living in social institutions, the figures are as follows:</p> <p>Children's welfare homes (4 homes): 206 boys and 143 girls</p> <p>Boys' welfare homes (3 homes): 109</p> <p>Girls' welfare homes (2 homes): 29</p> <p>(Source: <u>Annual report of the Public Commission for the Social Security Fund, 2002</u>)</p>	<p>One of the measures that the Committee has recently undertaken is to coordinate with the General People's Committee for Justice and Public Security on the methods for collecting data about children who are deprived of a family environment and are living with one parent or with relatives.</p>

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6	<p>Enrolment rates for the 2001/2002 academic year:</p> <p>(a) Kindergartens: 9.7%;</p> <p>(b), (c) Basic education (elementary and intermediate stages): 105.3% [sic];</p> <p>(d) Secondary and specialized schools: 61.9%;</p> <p>(e) Included in secondary education;</p> <p>(f) Religious education is part of the academic curricula studied by all students at all stages of education. There is no educational system in the Jamahiriya outside of the public education structure. The educational philosophy makes no distinction between religious and non-religious sciences; there is one integrated academic curriculum which embraces both the modern and religious sciences.</p> <p>(<u>Source</u>: The National Organization for Information and Documentation)</p>	<p>These are general statistics. We have no detailed statistics broken down according to general or particular categories of study.</p>
7	<p>The available data on persons with disabilities is general data referring to all disabled persons, including children. We have no details about different age groups. The total number of persons with disabilities amounts to 54,335; of these, 1,258 persons live in centres for the disabled and 709 of them are males and</p>	<p>This will be taken into consideration during the implementation of the information centre project for the Higher Committee for Children. Some community-based associations that cater for disabled persons endeavour to integrate disabled persons into society by having them</p>

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	<p>549 are females. The total number of disabled persons who regularly attend centres and schools amounts to 7,173; of these 3,706 are males and 3,467 are females.</p> <p>(Source: <u>Annual report of the Public Commission for the Social Security Fund, 2002</u>)</p>	<p>study at regular schools. They include the Libyan Association for Persons with Motor Disability and the Libyan Association for Persons with Down Syndrome. The Libyan Association for Persons with Motor Disability has set up a programme in the city of Tripoli to integrate the disabled persons it serves into regular schools. The schools in question have been adapted to allow disabled persons to move around in them more easily. (Three schools are involved at present.) As for the Libyan Association for Persons with Down Syndrome, it has prepared a plan of action for the implementation of its integration programme. The programme was first implemented in a number of kindergartens in the city of Tripoli and catered for 23 children. An integration experiment involving a total of 12 children is currently being conducted in a regular school in Tripoli. The experiment is being monitored and evaluated and, if successful, will be extended to other schools.</p>

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8	<p>Out of the 65,308 accused persons involved in the commission of crimes in 2001, 613, or 0.9 per cent of the total number of accused persons, were minors. Of these, 567 were boys and 46 were girls.</p> <p>The total number of victims of crime for the same year amounted to 43,394 persons. Of these, 470 persons, or 1.1 per cent of the total number, were minors, 353 of them boys and 117 girls.</p> <p>(Source: The National Organization for Information and Documentation)</p>	

B. General measures of implementation

Before replying to the requests for clarification, we must explain how the Higher Committee for Children was established and the nature of its relationship with the existing administrative system in the Jamahiriya, which reflects the philosophy of the authority of the people.

Basically, the Higher Committee for Children is a private association that was founded in 1990 as the result of the coming together of a large group of persons concerned with children's rights and of experts and concerned individuals from a variety of professions and walks of life. In order to achieve the Committee's declared goals and accomplish its manifold and sensitive tasks, for which considerable financial resources are required, the Committee's founding members decided that cooperation with State institutions should be established in order to secure the financial support which the Committee needs to do its work.

In view of the popular and mutually complementary character of institutions in Libya and the fact that they are founded on full cooperation between all State institutions, the prevailing political system makes no distinction between them. Furthermore, since the citizens who are members of the general people's congresses are the source of all decisions, whether in the

political or economic domains, it follows that all laws and legislation must be debated by the people's congresses (i.e. all Libyan citizens) so that they may be implemented by the various institutions through the people's committees.

1. According to General People's Committee decision No. 100 of 1998, concerning the establishment of the Higher Committee for Children, the Committee enjoys legal and financial independence and it has branches and offices to coordinate its work in the child welfare domain.

(a) As for decision-making authority, decisions are taken by the Higher Committee for Children, which is comprised of its founding members, representatives from the bodies concerned with child welfare in the fields of education, health, social security, justice and information, and the branch coordinators and active members of the Higher Committee.

(b) Evaluation is effected through regular meetings of the Higher Committee for Children.

(c) As for resources, according to article 8 of the above-mentioned decision, by which the Higher Committee for Children was established (Decision No. 100), these are to come from: "gifts, bequests, contributions, donations, aid, the proceeds from religious endowments (waqf) and charity work, the returns on the activities and the investments undertaken by the Committee, and the allocations set aside for it in the State's general budget". For human resources, the Committee relies on its own personnel, who have a range of expertise, and on consultants and volunteers with diverse areas of specialization and interests as well as staff seconded from other bodies.

(d) With regard to a comprehensive plan of action to implement the Convention, this is reflected in a series of concrete programmes, including one involving a review of Libyan legislation relating to children's issues and rights that aims at bringing Libyan law into line with the Convention. This work has been carried out by experts in jurisprudence who have particular knowledge of children's issues. In addition, a symposium was held on the same subject and attended by legal professionals in different categories, from academics to judges and professors of law. As a result of the symposium, a series of recommendations was drawn up and addressed to the Libyan legislature. As a matter of fact, we have noticed that the bills put forward this year have all taken account of those recommendations; an indication of the constructive nature of the Committee's work and of the cooperation it has instituted with the judicial and legislative authorities.

One of the positive outcomes of the symposium was that it convinced the legislature of the need for a comprehensive law to protect children's rights. In fact, the competent authorities have adopted a decision providing for the drafting, by professors of law, of a comprehensive bill for this purpose. Once the text has been drafted, it will be submitted to the people's congresses for discussion and approval. The final text will be completed by the General People's Committee and published in the Official Gazette.

The Committee, in coordination with the United Nations Children's Fund (UNICEF), engaged the services of an expert in children's rights to provide training about the Convention to a number of child welfare workers. The trainees are now working as trainers for others who work with children. A special programme for social workers, the police and judges has been designed for this purpose.

2. Data of persons under 18 is basically collected from the general population censuses which are conducted once every 10 years. In the past, no action was taken to analyse the data in order to design policies and programmes to implement the Convention. However, such steps will be taken henceforth.

3. (a) Coordination is effected by the members representing the above-mentioned bodies, i.e. through their expert handling of all issues relating to children.

3. (b) With regard to the receiving of complaints, no programme has yet been created for this purpose. Although some proposals are still being studied with a view to identifying the best option, the complaints procedure remains limited and is left to the discretion of individuals.

4. Associations involved in the children's domain take part in most activities and training programmes. In order to benefit from their expertise, they have been included in the working group on the Jamahiriya's campaign for children.

5. Although we understand the importance of awareness, particularly for professionals working with children and for children themselves, the public awareness campaigns run by State institutions remain somewhat basic, ineffective and poorly organized. Some programmes are carried out in the sha`biyyat, but without a definite or organized plan. Likewise, some private associations run awareness programmes through their various activities, but the programmes need to be developed and monitored.

6. With regard to training and education activities for professionals, the Committee, acting in cooperation with UNICEF, has organized regular and fruitful sessions for workers in private associations and other entities, including, inter alia, the Scout Movement, the Red Crescent and other private associations.

7. The Higher Committee for Children concerns itself with all issues relating to children's rights, whatever they may be, since this is its fundamental *raison d'être*. However, this does not prevent it from giving priority to specific issues at particular times. In 2001, for example, it turned its attention to assessing the scale of the phenomenon of child labour. Expert reports were prepared, workshops were held and lectures were given for that purpose. Both information and the Social Security Fund played a positive role in reducing the scale of this phenomenon.

In the same year, the Committee also accorded particular attention to school health. Among the activities which it undertook, one of the most important was the school health symposium that was held in March 2002 under the patronage of the Children's Division of the League of Arab States.

PART II

Our text of the Convention on the Rights of the Child is written in the Arabic language. Arabic is the language of all the inhabitants of the Jamahiriya and of communication and education.

PART III

We have provided the information found here below in response to the request for comments on new policies, programmes or legislation relating to children within the framework of the implementation of the Convention on the Rights of the Child.

1. In March 2002, the Higher Committee for Children, in cooperation with the Children's Division of the League of Arab States and UNICEF, organized a wide-ranging symposium entitled "Children's legislation in the Jamahiriya". The symposium was attended by experts in legal matters and social sciences and by individuals involved in children's issues. The purpose of the symposium was to undertake a review and analysis of Libyan legislation with a view to improving it in such a way as to guarantee the best interests of the children of the Jamahiriya, in keeping with the terms of the Convention on the Rights of the Child. Some of the outcomes of the recommendations put forward at the symposium are described hereunder.

(a) The symposium's recommendations on child labour have been taken into account in the new Child Labour Bill.

(b) A legal committee has been formed to draft a comprehensive law for the protection of children.

(c) The Associations Act, which is concerned with children and the family, has been developed and amended to take account of the provisions of the Convention on the Rights of the Child.

2. The symposium on children's legislation highlighted the need for a national plan for children. The Higher Committee for Children is now working with the General People's Committee on the drafting of a decision that will provide for the appointment of members to design such a plan. It should be noted that all private associations and sectors concerned with children will be involved in the preparation of the plan in order to ensure that it makes an effective contribution to improving the situation of children in the Jamahiriya and thus to realizing the main purposes of the Convention on the Rights of the Child.

3. Of the new programmes for which the Higher Committee for Children identified a need, there is one that provides for the creation of a child research unit focusing on the documentational and statistical aspects of data on children in the health, educational, social, recreational and other spheres. The unit is working to create a database that will allow it to define the current situation, as a starting point for more effective programmes in the future.

4. The Multiple Indicator Cluster Survey and a family survey are being carried out at the present time. It is hoped that they will provide sufficient information to provide answers to a number of questions.

5. Associations have been established to care for children with special needs. The Higher Committee for Children encourages the formation of such associations and offers them appropriate assistance in keeping with their financial and human resources and with the aim of integrating such children into society.

6. A committee has been formed recently to design a pedagogical programme for kindergartens and, later, for general elementary schools. Likewise, a section known as the kindergartens section has been set up in teacher training colleges to train graduate teachers to teach children at the kindergarten stage. The Higher Committee for Children will recommend that the Convention on the Rights of the Child should be incorporated into the section's programme in order to complement its other activities.

7. A special committee was recently formed for the purpose of creating a children's television channel. The committee, which is made up of specialists, will focus on serving the educational and recreational needs of the child. It is hoped that the channel will provide a tool for raising the awareness of children themselves about the articles of the Convention through the programmes that it offers.

8. In coordination with the Children's Division of the League of Arab States, training sessions for school health officials are being prepared in accordance with one of the recommendations on aspects of psychosocial health that came out of the symposium, held in March 2002, on the complementary role of school health.
