

TABLE OF PENDING CASES BEFORE THE COMMITTEE ON THE RIGHTS OF THE CHILD

Communication No.	State party	Subject matter	Articles invoked
41/2018	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 8, 20, 27
42/2018	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 3, 8, 20, 27, 29
44/2018	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 3, 8, 20, 27, 29
50/2018	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 3, 8, 20, 27, 29
55/2018	Belgium	Deportation of Roma family (mother and four children) to Serbia, with an alleged risk of discrimination based on their ethnicity and lack of access to education, health and housing; administrative detention of children pending their deportation	CRC 3, 6(2), 9(1), 9(2), 9(3), 9(4), 10, 12(2), 16, 19, 22, 24, 37
73/2019	Belgium	Deportation of family with children to Armenia; Administrative detention of children pending their deportation	CRC 29, 37
74/2019	Switzerland	Deportation of family with children (one with a hearing impairment and one with PTSD) to the Russian Federation	CRC 1, 2(2), 2(3), 6(2), 12, 14, 19, 22, 22(1), 27(1), 28(1), 37
77/2019 79/2019 109/2019	France	Group of children of French nationality detained in refugee camps in Syria; parents allegedly associated with the Islamic State; request of repatriation of the group of children	CRC 2, 3, 6, 19, 20, 37
78/2019	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 3, 18.2, 20.1, 8, 12, 20, 27, 29

80/2019	Switzerland	Deportation of unaccompanied Afghan child to Sweden under the Dublin regulation; Age assessment of undocumented migrant children; lack of representation during the age determination procedure.	CRC, 3, 12
84/2019	Georgia	Corporal punishment at school and lack of police investigations into repeated complaints filed by family members.	CRC 2, 12, 19
85/2019	Denmark	Deportation of couple and 8-year-old daughter to Somalia, where she would allegedly face a risk or being subjected to female genital mutilation against the parents' will.	CRC 3, 19, 24, 37
89/2019	Argentina	Criminal conviction of a child without taking into account his status as a child when establishing the length of the sentence, without promoting the resocialization of the child, and without guaranteeing the required differentiated treatment during the execution of the sentence.	CRC 3, 4, 25, 37 (b), 37 (c), 40
91/2019	Chile	In the context of a court proceeding for breach of a father's alimony obligation for his three children, the national courts found that a bank promissory note prevailed over alimony towards a child.	CRC 27
93/2019	Slovakia	Deportation of four Afghan children with one parent to the Netherlands under the Dublin Regulation; separation from the other parent in case of deportation; lack of proper age determination of one 16-year old child in asylum proceedings and treatment as an adult, including subjecting him to a separate deportation order.	CRC 3, 6, 9, 16, 18, 27 (1), 28 and 37; OPAC 4
94/2019	Ireland	Removal of Canadian children to Ireland by mother without the father's consent (having been later granted sole custody of the children); Hague Convention proceedings on civil aspects of international child abduction resulted in a decision to return the children to Canada as their habitual place of residence; mother claims that the children's best interests were not considered by Irish authorities.	CRC 3, 9, 16, 27
96/2019	Denmark	Danish authorities decided to withdraw the refugee status of a Somali single mother of four. The mother applied for asylum on behalf of her youngest daughter who is not circumcised, claiming that she had not been able to prevent her first two daughters from being circumcised against her will in Somalia.	CRC 3, 19
97/2019	Denmark	Deportation of family with two small children. Since the parents are not officially married the countries of origin (Egypt and Nepal) are not accepting to receive the whole family. The father is therefore subject to a separate deportation order to Egypt.	CRC 3, 7, 9

99/2019	Denmark	Deportation of divorced woman victim of domestic violence and her daughter to India, where she claims that they would be at risk of further violence by her former husband, without adequate protection by Indian police	CRC 3, 22
100/2019	Finland	Children of Finish nationality detained in Al-Hol refugee camp in Syria with their mothers; parents allegedly associated with the Islamic State; request of repatriation of the group of children by family members in Finland	CRC 2, 6, 19, 20, 24, 27, 28, 37, 39, 40 CRC-OP-AC 7
101/2019	Switzerland	Removal of mother and three children, all Chechen asylum seekers, to Austria under the Dublin Regulation. The mother claims to be victim of domestic violence and the children suffer from PTSD (allegedly resulting from the violence experienced at home against the mother) and receive psychotherapeutic treatment in Switzerland.	CRC 3, 16, 24, 37, 39
102/2019	Switzerland	Deportation to Ukraine of Ukrainian national (now adult) who arrived in Switzerland at age 15 with his parents, failed asylum seekers. The author attempted suicide at the news of his deportation.	CRC 2, 3, 6, 12, 13, 14, 19, 22, 24, 29, 39
103/2019	Denmark	Deportation of mother and child (born in 2008), both failed asylum seekers, to DRC. Authors have been in Denmark since 2010.	CRC 3, 6, 12, 22 (1), 37 (a)
110/2020	Switzerland	Deportation of a Georgian child and her family to Georgia; risk of irreparable harm to mental health	CRC 3, 19(1), 24(1), 37(a), 39
112/2020	Georgia	Denial of victim status to autistic boy by the domestic authorities in the criminal proceedings conducted against his father on charges of domestic violence.	CRC 2, 12, 19
114/2020	Spain	Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status	CRC 2, 3, 28
116/2020	Spain	Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status	CRC 2, 3, 28, 29
117/2020	Spain	Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status	CRC 2, 3, 28, 29
118/2020	Spain	Rejection from the public education system of an two unschooled Moroccan children who were born and raised in Spain (Melilla) based on nationality	CRC 2, 3, 28, 29

119/2020	Paraguay	Undue delays in judicial proceedings related to a child's access to his paternal filiation which have an impact on "his rights to identity and child support"	CRC 3, 4, 5, 8, 18, 19
120/2020	Switzerland	Deportation of 6 children and their parents (failed asylum seekers) to El Salvador, where they risk becoming victims of gang violence.	CRC 3, 6 (6), 12, 24, 27, 37 (a)
121/2020	Chile	Hague Convention proceedings on civil aspects of international child abduction resulted in a decision to return a child with autism to Spain as his habitual place of residence; mother claims that the child's best interests and the risk of irreparable harm were not considered by the Chilean authorities.	CRC 3, 9, 11, 23
122/2020	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); interned at the Center for Migrants of the Red Cross of Almería, a centre that is not suitable for unaccompanied children	CRC 3, 8
123/2020	Argentina	Denial of any sort of outing or parole despite numerous request for a child offender sentenced to 21 years in prison.	CRC 37
124/2020	Bosnia and Herzegovina	Denial of access to primary and secondary education for 45 asylum seeker children, mostly Iraqi nationals, residing in the Refugee Reception Center Salakovac, in Mostar.	CRC 2, 4, 22, 28
125/2020	Switzerland	Deportation of a girl and her mother (failed asylum seekers) to Eritrea, where they risk being victims of violence/persecution as the girl's father had deserted the army and they had been previously detained.	CRC 2, 3, 6, 9, 12, 16, 18, 22, 28, 38
126/2020	Switzerland	Deportation of four children, Syrian nationals of Kurdish identity, and their mother (failed asylum seekers) to Bulgaria, where they had previously faced deplorable living conditions, including lack of access to medical care and education.	3, 6, 19, 22, 23, 24, 26, 27, 28, 37, 39
127/2020	France	Institutionalization of a child with autism and a heart disease. Her mother claims that the life of her son is at risk and that he has not been heard during the proceedings leading to his institutionalization.	6, 9, 12, 23(1) 37(a)
128/2020	Switzerland	Deportation of an unaccompanied Guinean child, who was considered as an adult by the Swiss authorities, to Spain under the Dublin regulation; Transfer of the author to Spain as an adult, without taking the necessary protection measures that would be required as a child; Age assessment of undocumented migrant children.	CRC 3, 6 (1), 8, 12, 20 (1), 22, 24, 28

129/2020	Chile	Hague Convention proceedings on civil aspects of international child abduction resulted in a decision to return a child to Switzerland as his habitual place of residence; his mother claims that the child's best interests and the risk of irreparable harm were not considered by the Chilean authorities.	CRC 3, 9, 11, 18
130/2020	France	Lack of access of a Pakistani unaccompanied migrant child living in the streets to social services, education, and adequate housing as he was considered as an adult by the French authorities; Age assessment of undocumented migrant children.	CRC 3, 8, 12, 20
131/2020	Finland	Deportation of two children, Afghan nationals, and their parents (failed asylum seekers) to Greece, where they had previously faced deplorable living conditions, including lack of access to education and adequate accommodation and an instance of sexual violence.	CRC 3, 4, 6, 12, 22, 24, 26, 27, 28, 31, 34, 36, 37
132/2020	France	Lack of access of a Pakistani unaccompanied migrant child living in the streets to health, education, and adequate housing as he was considered as an adult by the French authorities; Age assessment as an undocumented migrant children.	CRC 3, 8, 12, 20, 28
133/2020	Spain	Institutionalisation of children abandoned by the mother without informing the father or attempting family reunification.	CRC 3, 7, 9
134/2020	Spain	Girl with a rare lung disease, living in a precarious and informal slum settlement in conditions of extreme vulnerability. Since 2000, a power outage has deprived her home from electricity. She claims that her rights to life, development, health and education are seriously endangered.	CRC 6, 24, 28
135/2021	France	Institutionalization of two girls as the Court found that the relations with their mother would not allow them to have an adequate psycho-affective development. Their mother claims that the girls are not adequately protected as children deprived of a family environment and that they lack appropriate access to health services and education.	CRC 3, 8, 16, 19, 37
136/2021	Peru	Forced pregnancy of a girl who had suffered sexual violence at the hands of her father; lack of access to sexual and reproductive health, including access to safe abortion.	CRC 2, 4, 6, 7, 12, 16, 24, 37
137/2021	France	Placement in foster care of a new born premature baby girl as the authorities found that her mother could be dangerous for her. Her mother claims that the best interest of the child has not been taken into consideration by the French authorities and that the girl is victim of violence and lacks adequate health care.	CRC 3, 5, 6, 7, 8, 19, 24, 25, 27, 35, 36, 37
138/2021	Luxembourg	Hague Convention proceedings on civil aspects of international child abduction resulted in a decision to return a child to Luxembourg as his habitual place of residence; his mother claims that she has not been allowed to see her son for various months and that the	CRC 3, 9, 10, 12

		child's best interests are not being considered by the Luxembourgish authorities.	
139/2021	Czech Republic	Placement in institutional care of two siblings to ensure their rights to health and education. The authors claim that the Czech authorities did not take into consideration the best interest of the child in their decision and failed to ensure their rights to be heard, to be in contact with their parents, to health and education among others.	CRC 3 (2), 5, 9 (1, 3), 12 (1), 16, 18 (1), 20 (1), 24 (1), 28 (1), 29 (1), 37 (b), 39
140/2021	Denmark	Deportation of a one-year and a half old girl and her parents to Somalia, where she would allegedly face a risk or being subjected to female genital mutilation against her parents' will.	CRC 3, 9
141/2021	Switzerland	Delays in processing an appeal related to an asylum claim of a Moroccan unaccompanied migrant child in violation of his right to have the best interest of the child taken as a primary consideration.	CRC 3
142/2021	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC 2,3,8, 12, 16, 27, 29
143/2021	Belgium	Access to health care of a child of Algerian nationality with a neurological disability whose parents are irregular residents in the State party and subject to a deportation order	CRC 2,3,23,24
144/2021	Georgia	State party's failure to guarantee access by the National Human Rights Institution (Public Defender) to monitor a closed-type church-run orphanage	CRC 2, 3, 12, 14, 15, 16, 19
145/2021	Denmark	Deportation of father of three children aged 1, 3 and 9 to Nigeria after having been convicted of drug possession, thereby separating him from his children.	CRC 3, 7,9,10
146/2021	Italy	Rights of a twelve-year-old child in a child care institution not to be separated from his family, to maintain contact with his family while in the institution, to engage in activities appropriate to his age, and to be heard, among others	CRC 2, 3, 5, 8, 12, 13, 16, 18, 19, 24, 25, 27, 29, 37
147/2021	Spain	Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status	CRC 2, 3, 28, 29
148/2021	Switzerland	Failure by the State party's authorities to take the best interests of the children into account when deciding to return their father to his country of origin	CRC 3 (1), 9, 12, 16

149/2020	France	Subjecting unaccompanied child to bone test to determine his age) despite having presented a certified birth certificate and later a passport	CRC 3, 8, 12, 20
150/2020	Switzerland	Failure to enforce a court order for parental contact with a child living in a different country	CRC 5, 9, 10, 18, 33
151/2021	Switzerland	Deportation of family of six with three children aged 16, 15 and 13 years old, respectively, to Kosovo	CRC 3, 6, 12, 19, 24
152/2021	France	Subjecting unaccompanied child to bone test to determine his age despite having presented birth certificate documents	CRC 3, 8, 12, 20, 28
153/2021	Switzerland	Rights of two children aged 14 and 7, respectively, to visit and communicate with their imprisoned mother	CRC 3, 9, 12
154/2021	France	Subjecting unaccompanied child to medical test to determine his age despite having presented a birth certificate	CRC 3, 8, 12, 20, 28
155/2021	Switzerland	Deportation of a 12-year-old child and her mother, both Afghan nationals of Hazara ethnicity, to Croatia	CRC 3, 6, 19 (2), 22, 23, 24, 26, 27, 39
156/2021	Spain	Summary collective deportation of ten children of Moroccan nationality from Ceuta to Morocco without prior notification or age determination	CRC 3 (1), 12
157/2021	Belgium	Right of a 17-year-old child to remain in the general education stream despite being forced to either repeat the school year or change into the technical education stream due to academic performance	CRC 2, 3 (1), 19, 28 (1) (c), 28 (1) (e), 29
158/2021	Ireland	Enforcement of parental visitation and custody rights during the COVID-19 pandemic of parent residing in a different country	CRC 9 (3), 10 (2)
159/2021	Finland	Deportation of a Yazidi family of Iraqi nationality with two children aged 13 and 16 years old, respectively, to Greece where there would be lack of access to mental health care and social services	CRC 3, 4, 20, 22, 24, 26, 27, 37
160/2021	France	Subjecting unaccompanied child to age determination procedures despite holding an original birth certificate	CRC 3, 8, 12, 20

161/2021	Switzerland	Deportation to Algeria of the father of a Moroccan child living legally in the State party without the child being heard	CRC 3 (1), 9, 12, 16 (1), 16 (2)
162/2021	Switzerland	Deportation of a mother and her 10-year-old son who was born in the State party to Kosovo	CRC 6, 9, 27
163/2021	Switzerland	Deportation of a 2-year-old child with autism, with his Bosnian mother and his Iranian father to Bosnia Herzegovina or Iran	CRC 3, 6, 19, 22, 23, 24, 26, 27, 28, 37, 39
164/2021	Switzerland	Deportation of a 6-year-old with cerebral palsy and his mother to Ukraine	CRC 3, 6, 23
165/2021	Spain	Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status	CRC 2, 3, 28, 29
166/2021 167/2021	Switzerland	Deportation of two Afghan families with three (166/2021) and one children (167/2021), respectively, to Croatia under the Dublin regulation; lack of procedural safeguards like best interest of the child analysis or right to be heard	CRC 3, 12, 16, 22
168/2021	Finland	Deportation of a one-year-old child and his mother to Greece, where the latter was victim of trafficking	CRC 3, 6, 19, 22, 24, 26, 27
169/2021	Denmark	Deportation of two children (aged 3 and 1, respectively) and their father to Somalia, where the children would be subject to female genital mutilation and male circumcision	CRC 3, 19
170/2021	France	Subjecting unaccompanied child to age determination procedures despite holding an original birth certificate	CRC 3, 8, 12, 20, 28
171/2021	Finland	Deportation of two Syrian children (aged 14 and 10, respectively) and their mother to Denmark, under the Dublin regulation, where their asylum has already been denied	CRC 3, 4, 12, 24, 27, 31, 34, 37, 39
172/2022	Finland	Mining project on land of indigenous Sami peoples which affects reindeer herding sustainability.	CRC 2, 8, 24, 27, 30

173/2022	Finland	Rejection by the State party of asylum request by Afghan children on the basis of family reunification with their father	CRC-3, 8, 9, 10, 12, 16
174/2022	Switzerland	Removal of Iraqi child to Lithuania under Dublin III Regulation	CRC-2, 3, 6, 12, 16, 19, 22, 24, 37
175/2022	Spain	Subjecting unaccompanied child to medical test to determine his age (Greulich & Pyle test); detention in a migrant detention centre for adults pending deportation	CRC-2, 3, 12

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